English Translations of

Majmoo'al-Fatawa of Permanent Committee for Scholarly Research and *ifta*' of K.S.A

Second Collection

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Portal of the General Presidency of Scholarly Research and *Ifta'* of Kingdom of Saudi Arabia

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in the name of Allah, The All-Merciful, The Ever-Merciful

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Jihad

The eleventh and twelfth questions of fatwa no. 19773

Q 11: Is civil defense counted as Jihad (fighting/striving in the Cause of Allah)?

A 11: Any work that benefits Muslims or deflects a harm away from them is highly rewardable provided that its doer has a good intention and performs it for the sake of Allah. We hope that it is regarded as Murabatah (guarding the Muslim frontiers in Allah's Cause).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 12: Is the person who dies in the line of duty is regarded as a martyr, whether the cause is a fire, drowning or anything else?

A 12: If someone dies in a demolition, drowning or because of sudden accident, they are regarded as martyrs, as indicated by the Hadiths. However, they should be washed and Janazah (Funeral) Prayer should be offered for them like all dead Muslims. They differ from those who die in the battlefield who should not be washed and no Janazah Prayer should be offered for them because the Prophet (peace be upon him) did not wash the martyrs of Uhud and did not perform Janazah Prayer for them.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 20030

Q: Is it true that the woman who dies while delivering is considered a martyr?

A: Any woman who dies during her postpartum period or during pregnancy is a martyr, In sha'a-Allah (if Allah wills). In the Hadith narrated by `Ubadah ibn Al-Samit (may Allah be pleased with him) the Messenger of Allah (peace be upon him) said: ('Who is counted as a martyr among you?' They said, 'The one who fights and is killed in the Cause of Allah (Glorified and Exalted be He).' The Messenger (peace be upon him) said: 'Then the martyrs among my Ummah (nation based on one creed) would be few. The one who is killed in the Cause of Allah is a martyr; the one who dies of plague is a martyr; the one who dies of an intestinal ailment is a martyr; and a woman who dies during her pregnancy is a martyr.') (Related by Imam (initiator of a School of Jurisprudence) Ahmad in his Musnad [Hadith compilation]), Ibn Majah, Ibn Hibban in his Sahih [Authentic Hadith Book] as well as others) Therefore, a woman who dies during her pregnancy is a martyr. It was also narrated by Rashid Ibn Hubaish (may Allah be pleased with him) that (The Messenger of Allah (peace be upon him) entered upon `Ubadah ibn Al-Samit during his sickness and said, 'Do you know who is a martyr in my Ummah?' The people remained silent. `Ubadah said: 'Help me to sit up.' They helped him to sit up, then he said, 'O Messenger of Allah, (is it) the patient person who seeks reward from Allah for their patience?' The Messenger of Allah (peace be upon him) said: 'Then the martyrs among my Ummah would be very few. Being killed for in the Cause of Allah is martyrdom; dying of plague is martyrdom; drowning is martyrdom; dying of an internal disease is martyrdom; and if a woman dies during the postpartum period, her baby will drag her with the umbilical cord to Jannah (Paradise).') (Related by Imam Ahmad in his Musnad and Abu Dawud in his Sunan [Hadith compilations classified by jurisprudential themes]) A report with a similar meaning was related by Imam Muslim in his book

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Al-Imarah, chapter 51, vol. 3, p.1521)

There is much evidence that indicates the great reward of a woman who dies during her postpartum period or pregnancy and that she is one of the martyrs among the Ummah of Muhammad (peace be upon him). However, the highest level of martyrdom is that of the person killed for in the Cause of Allah (Exalted be He).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Knowledge

Fatwa no. 20773

Q: Is it permissible for a Muslim to memorize the Qur'an from the Mus-haf (copy of the Qur'an) but without a teacher?

If it is impermissible, how can one correct his past recitation? If it is permissible, then what can be said to those who believe that the Qur'an must be transmitted orally? If there is a better way, inform us of it.

A: It is obligatory to learn the Qur'an from a good reciter so that the learner masters the recitation of the Qur'an in the right way. It is not enough to recite it just by reading it because this may lead to error, especially if there is someone to teach them.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 20707

Q: In our city, there are groups for teaching the Noble Qur'an. The teachers of these groups receive salaries. Dear respected Shaykh: What if I paid the salary of one of these teachers, do I get the reward for every

student who memorizes the Qur'an in his group? Do I get the reward of 10 good deeds for every letter? If one of them grows up and teaches the Qur'an or leads people in Salah (Prayer), do I receive a similar reward because I paid the salary of his teacher?

A: A: If you take the responsibility of the salary of a teacher of Qur'an, you will be rewarded. Indeed, this is among the best of good deeds. You will receive a reward for every student who memorizes the Qur'an through that teacher without diminishing any of their rewards.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 21255

Q: You know that our country is one of the strongholds of Islam, may Allah protect it. The groups of teaching the Noble Qur'an and the Sunnah (acts, sayings or approvals of the Prophet) are widespread. They are characterized by sound methodology and teaching on the sound doctrine of the Salaf (righteous predecessors). These groups are in need of the support of the benevolent and the rich.

Dear respected Shaykh: If I support them with money and authority, such as to secure the salary of a teacher, provide the prizes of

students or contribute some of the requirements of the groups, such as a means of transportation, headquarters and the like, am I included in the Hadith of the Prophet (peace be upon him): (Anyone who guides people to good is like the one who does it.) **And:** (The best among you (Muslims) are those who learn the Qur'an and teach it.) **? Do I take a reward for helping these students memorize the Qur'an? Answer us, may Allah reward you with the best and benefit Muslims with your knowledge.**

A: You are included in the Hadith of Allah's Messenger (peace be upon him): (Whoever leads a person to a good deed will be rewarded the same as the one who does it.) (Related by Imam Muslim, [(may Allah be merciful to him]), and the Hadith: (The best among you (Muslims) are those who learn the Qur'an and teach it.) (Related by Imam Al-Bukhari, Abu Dawud and At-Tirmidhy, [may Allah be merciful to him]).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21326

The Permanent Committee for Scholarly Research and Ifta' has read what was sent to the General Mufti from the manager of the Da`wah office in Al-Zulfy. It was referred to the committee from the Secretariat General of the Council of Senior Scholars with no. 601

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dated 25/1/1421 A.H., and the question is:

What is the ruling on holding celebrations at Masjids (mosques) for the memorizers of the Noble Qur'an to encourage them as well as others? May Allah reward you with the best!

After studying the request of Fatwa (legal opinion issued by a qualified Muslim scholar), the committee states that there is nothing wrong with that because it is encouragement for people to care about the Book of Allah.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of fatwa no. 20317

Q 2: I started memorizing the book of Bulugh-ul-Maram by Al-Hafiz ibn Hajar, (may Allah be merciful to him)! I completed a good part of the book but I am confused regarding the Da`if (weak) Hadiths though the compiler (may Allah be merciful to him) has made the Takhrij (referencing) of their Isnads (chains of narration). Should I leave out these Hadiths or memorize them for quotation and increasing the ways of narration? Please, direct me.

A 2: The book of Bulugh-ul-Maram is of great benefit and value. Seekers of knowledge need it to recognize both Sahih (authentic) and Da`if Hadiths. The compiler (may Allah be merciful to him) mentioned this in his Takhrij. May Allah reward him all the best and double the reward for him!

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 20273

Q: I am a student in the Faculty of Pharmacy, Annabah University, Algeria. In this faculty, Tabarruj (woman's public display of her adornment or charms) and permissiveness have reached an extreme, and it is as if we are living in a European or an American society. Because our Islamic law orders us to protect our own faith, I suffer a lot from this disgraceful Tabarruj, as humans are weak by nature and can be affected by such sights. Additionally, I became bored of studying in this faculty and I wanted to leave to join the faculty of Shari`ah (Islamic law) in Constantine to study the sciences of Shari`ah, but my parents are opposed to the idea of abandoning the Faculty of Pharmacy. Please tell me what I should do (may Allah safeguard you); shall I leave this faculty? I was about to leave it before writing to you, but I feared that I might commit something that is more dangerous, which is undutifulness to my parents. Please tell me what to do because I am very worried and confused.

A: We advise you to join the faculty of Shari`ah in order to learn all that is related to your

faith and to abandon everything that is evil, because if someone leaves something for the sake of Allah, Allah recompenses them with something that is better. You should not obey your parents concerning co-education, because there is no obedience to someone in what displeases Allah. We also advise you to be dutiful to your parents and to talk to them in a delicate, gentle manner. May Allah help you to do all that is good, and guide you and your parents to all that is pleasing to Him.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 20266

Q: In our country, Morocco, there is a man who teaches the people rituals of Hajj in a practical way; he made a black-colored wood frame resembling the Ka`bah, Maqam Ibrahim (the Station of Ibrahim), Safa and Marwah and Zamzam, in addition to other rituals related to Hajj. The training is performed by people bringing and wearing their Ihram (clothing worn during the ritual state for Hajj and `Umrah) and performing the rituals starting from `Umrah until the end of Hajj. Moreover, they raise their voices collectively, performing Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) in the Masjid (mosque). This phenomenon has started to spread in all of the areas of Morocco; if you enter some Masjids, you find a wooden frame resembling the Ka`bah and everything related to the rituals of Hajj throughout the year.

I hope you will clarify the ruling of the Shari`ah (Islamic law) in this regard, taking into consideration that this training of the rituals of Hajj was shot by camera, and videotapes are distributed among the people.

A: Making shapes of wood or similar materials for the Ka`bah, Maqam Ibrahim, Jamrat (stone pillars marking the pebble-throwing area) and so on to be used in teaching the rituals of Hajj and `Umrah in the way mentioned in the question is not permissible; rather, it is an abominable Bid`ah (innovation in religion). The reason is that it may lead to falling into the dangers warned against by Shari`ah such as the hearts' clinging to these shapes - even after a period of time - and exposing them to abuse and so on, although there is no need for this method. Explaining and illustrating orally along with using illustrative writings are quite enough to convey the Shar`y (Islamic legal) meaning to the people in general. The Messenger of Allah (peace be upon him) is reported to have said: ﴿Anyone who does an action which is not in accordance with this matter of ours (Islam) will have it rejected.﴾ (Related by Muslim in his Sahih [Authentic Hadith Book])

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The fourth question of Fatwa no. 21294

Q 4: One of the guides in an organized Hajj group instructed the pilgrims that no Muqallid (strict follower of a specific School of Jurisprudence) is allowed to give the people a legal opinion different from that adopted by the Jumhur (dominant majority of scholars). No one may give a legal opinion apart from that of the Jumhur except a Mujtahid (a scholar qualified to exercise juristic effort to infer expert legal ruling) such as Ibn Baz **(may Allah be merciful to him). Some of the students of knowledge among us,**

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when asked before the occurrence of an action, give the legal opinion of the Jumhur; and when asked after its occurrence, give the legal opinion of any Imam apart from that of the Jumhur.

The question: Is the opinion of the guide of the Hajj group signifying that the only legal opinion that should be given before and after the occurrence of the action is that of the Jumhur correct, in spite of the hardship of repeating it that the questioner may encounter? Please give us your legal opinion, may Allah reward you.

A: The Mufty (Islamic scholar qualified to issue legal opinions) should give the legal opinion that is preponderant according to evidence, if he has enough competence and knowledge to do so; otherwise, he should refer the question to any other scholar.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The third question of Fatwa no. 21030

Q 3: Are the ignorant about religious matters and the lay not brought to account for the things they do not know about? Is acquiring religious knowledge Wajib (obligatory) in their case?

A: It is impermissible for a person to remain ignorant. They have to learn what they must know about their Din (religion) and gain religious knowledge from scholars. Allah (Exalted be He) says: (So ask the people of the Reminder, if you do not know.) Therefore,

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if a person remains ignorant about their Din while there are scholars they can ask and learn about Al-Haqq (the Truth) from, then they are sinners.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of Fatwa no. 20062

Q 2: Does the printing of valid Islamic books benefit a Muslim after death, and can it be considered as knowledge by which people may benefit, as mentioned in the Hadith?

A: The printing of useful books that benefit people in their religious and worldly affairs is a good act, for which the Muslim will be rewarded during their life and it will be of ongoing benefit and reward after their death. This is included in the general meaning of the Hadith on the authority of Abu Hurayrah (may Allah be pleased with him) in which the Messenger of Allah (peace be upon him) is authentically reported to have said: ﴿When someone dies, their works (righteous acts) come to an end, apart from three: Sadaqah Jariyah (ongoing charity), beneficial knowledge, or a pious child who prays for them (the deceased).﴾ (Related by Imam Muslim in his "Sahih"; Al-Tirmidhy, Al-Nasa'y and Imam Ahmad) Everyone who participates in conveying useful knowledge will attain this great reward, whether this participation is by writing, teaching, publishing, issuing or participating in printing, each according to their effort and contribution in the work.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 20122

Q: At the Community Orientation Office, we receive some offers from banks that use Riba (usury/interest) to print some booklets related to Da`wah (calling to Islam) on the condition that the name of the bank is to be printed on these booklets. We hope that you will give us your Fatwa (legal opinion issued by a qualified Muslim scholar), may Allah bless you, concerning accepting or rejecting this offer.

A: You should not accept these offers because printing the names and logos of these banks on the booklets related to Da`wah is regarded as propaganda, recommendation, and encouragement to deal with them, as well as making little of the prohibited transactions. This is legally forbidden, as Allah (Glorified and Exalted be He) says: ﴿Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.﴾

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 20900

Q 2: If my colleague who sits next to me during an exam asks me questions and I give him the answers to some of the exam questions, is this considered cheating?

A: Yes, this is considered cheating because it is not permissible for him to ask you questions and it is also not permissible for you to reply to him during an exam. The Prophet (peace be upon him) said: (Anyone who cheats us does not belong to us.)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The second question of Fatwa no. 14368

A 2: What are the most important books that discuss the secrets of the souls and the treatment of wild whims, and who are the most important authors in this respect?

A: One of the best books in this respect is the one written by Ibn Al-Jawzy (may Allah be merciful to him). He was a preacher who thoroughly explored the souls. He wrote a book entitled "Talbis Iblis" (Entanglements of the Devil) in which he discussed the ways that the devil uses to entangle humans in whims and suspicions. Ibn Al-Jawzy (may Allah be merciful to him) really excelled in this book. Moreover, there is a book entitled "Ighathat-ul-Lahfan min Maka'id Al-Shaytan (Relieving the Distressed from the Stratagems of the Devil) by Ibn Al-Qayyim (may Allah be merciful to him), which discusses

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a valuable subject. It is summarized by Shaykh `Abdullah ibn `Abdul-Rahman Ababtin in "Mukhtasar Al-Ighathah (The Summary of the Relief of the Distressed)" and many other books.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The third question of Fatwa no. 21561

Q 3: What is your opinion regarding the book entitled "Al-Mustatraf"? Is it useful?

A: "Al-Mustatraf" includes good and bad information. Therefore, one should not rely on it either regarding knowledge or religion. Muslims should not waste their time reading unless it will benefit their Din (religion) and worldly affairs.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The first question of Fatwa no. 16421

Q 1: My question is about Shaykh Hasan ibn `Aly Al-Saqqaf, who printed a book entitled "Tanaqudat Al-Albany Al-Wadihat Fima Waqa` Lahu fi Tashih Al-Ahadith wa Tad`ifiha min Akhta' wa Ghaltat, (Clear Contradictions concerning the Faults of Al-Albany in Ranking HadithS as Da`if (weak) and Sahih (authentic)", Part 2, printed in Dar Imam an-Nawawi in Jordan. I hope you will clarify whether

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Shaykh Hasan ibn `Aly Al-Saqqaf is one of the recommended knowledgeable scholars or not, and whether or not we can rely on these books and their contents?

A: It is well-known that the abovementioned person has some faults in his `Aqidah (creed) that we came to know through the falsehoods he published in his books on `Aqidah. We have not read the mentioned book, so we cannot judge it until we are acquainted with it, and Allah knows best.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 19185

Q: What is your opinion about a book entitled "Kashf Al-Akinnah `Amma Qila 'Innahu Bid`ah Wahwa Sunnah (Revealing the Secrets concerning what is Deemed as Bid`ah [innovation in religion] while it is a Sunnah [acts, sayings or approvals of the Prophet])" by `Abdul-Wahab Mahiyah?

A: After reviewing the mentioned book, I realized that its author is not one of the reliable scholars in respect of the rulings of Shari`ah (Islamic law). He regarded some Bid`ahs as acts of the Sunnah. It is necessary to refer to the books of the verifying scholars known for their religiousness, honesty and conversance with Islamic knowledge.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Fatwa no. 21342

The Permanent Committee for Scholarly Research and Ifta' reviewed what was submitted by some counselors. This inquiry is registered at the General Secretariat of the Council of Senior Scholars, under number (779) dated Safar 6th, 1421 A.H. It was enclosed by a copy of a book entitled "Tadhkir Al-Ta'ifah Al-Mansurah Biba`d Al-Sunan Al-Mahjurah (Reminding the Supported Sect of some Abandoned Sunan [supererogatory act of worship following the example of the Prophet])", collected by Mahmoud Imam Mansour, and printed in Dar Al-Ma'athir in Al-Madinah in 1420 A.H.

Upon reviewing this book, we found it was based on the author's own rule that the habitual acts done by the Prophet (peace be upon him) are considered a source of legislation and a Sunnah as the acts he did as a kind of `Ibadah (worship) as is mentioned in the book (p.17). It is known that mixing the ordinary and innate acts with legislative ones is an absolute mistake and setting incorrect rules and principles as clarified in the books of Usul-ul-Fiqh (principles of Islamic jurisprudence). According to these incorrect rules upon which the author wrote his book, he made many scholarly mistakes and Fiqhi abnormalities. Moreover, he regarded as Sunnah the matters that are deemed by reliable scholars as Bid`ah (innovation in religion) if they are done for the sake of being a Sunnah. One of the subsidiary matters in which the author makes a mistake in regarding them as Sunnah is the act of lying down after Fajr (Dawn) Prayer (p.15), in addition to the Sunnah of keeping silent after Fajr Prayer till the sun rises (p.66). However, it was proven that the Prophet (peace be upon him) talked to his wife, Mother of the Believers, `Aishah

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(may Allah be pleased with her) after Fajr Prayer, as mentioned in Sahih (Authentic Hadith Book) of Al-Bukhari and others. Furthermore, he mentioned that it is a Sunnah to bring both heels together during Sujud (prostration) (p.86), while the Sunnah is separating both heels and the belly from the thighs during Salah (Prayer) without exaggeration. He also deemed as a Sunnah limiting the steps of the Minbar (pulpit) to only three (p.131). Moreover, he mentioned that it is a Sunnah to unfasten the buttons (p.212) and wear a tied up turban (p. 222). In addition, he considered Iftar (breaking the Fast) upon hearing the cannon shot (traditional way of announcing the time to prepare for breaking the Fast) to be a Bid`ah (p.135), as well as other matters he regarded by mistake as Sunnah. By doing so, he disturbed people and caused them confusion. Therefore, the Permanent Committee for Scholarly Research and Ifta' has decided to prohibit this book from sale and circulation. Furthermore, it advises the author to seek the knowledge of Shari`ah (Islamic law) from the scholars known for their knowledge, virtue, and sound `Aqidah (creed) and understanding. May Allah grant us success.

May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21547

Q: What is the ruling on obtaining the book titled, "At-Ta`rif bil-Shaykh Sidy `Ubayd Al-Sharif (Biography of Master Shaykh `Ubayd Al-Sharif)", compiled by Al-Hady Bashawat? Is it reliable?

A: Having examined the abovementioned book, we learned that it contains many dangerous ideas including the following:

1- Recommending building a Masjid (mosque) over the grave of the so-called `Ubayd Al-Sharif, frequenting it

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and seeking blessing from it.

2- Promoting many Bid`ahs (innovations in Islam) and Shirk-related beliefs (Shirk: associating others with Allah in His Divinity or worship), including seeking blessings from graves and shrines and Tawassul (invoking Allah through an intermediary) through the righteous both the dead and alive.

3- Approving Bid`ahs associated with acts of `Ibadah (worship) including Adhkar (invocations and Remembrances said at certain times on a regular basis), invoking blessings on the Prophet (peace be upon him) and visiting places the abovementioned Shaykh used to visit.

4- Quoting unauthentic Hadiths falsely attributed to the Prophet (peace be upon him) in support of his suggestions.

Accordingly, it is impermissible to publish, print, obtain or promote this book as it calls to Shirk, Bid`ahs, superstitions and satanic practices.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20784

All praise be to Allah Alone, and peace and blessings be upon the Seal of all prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' has reviewed the question submitted to His Eminence the Grand Mufty (Islamic scholar qualified to issue legal opinions), from his Excellency the Director General of the Worldwide Association for introducing Islam Mr. Muhammad Hussayn Dhul-Qarnayn which was referred to the Committee from the Secretariat General of the Council of Senior Scholars with the No. 492, dated

22/1/1420 A.H. The question is as follows:

The present Holy Books, which include what is called the Holy Bible and others contain falsehood, aberrance, and lies such as crucifixion and divinity of Jesus, and the Trinity. However, they give glad tidings of our Prophet Muhammad (peace be upon him).

Collecting and publishing such information leads to great benefits, such as:

- Calling the Christians to Islam through showing them the inconsistency and the weakness of their beliefs and presenting the merits of Islam on the other hand.

- Resisting the Christian missionary activity. Showing the feebleness and the voidance of Christianity through evidence taken from their books is the strongest and most effective way to repel the attempts of Christianizing the weak and the poor Muslims or the atheists and the pagans.

Undoubtedly, collecting and documenting such information needs analytical, close, and deliberate study of the books which are circulated among the Christians, so that the Du`ah (callers to Islam) can establish documented and strong proofs. However, the Worldwide Association for introducing Islam have referred to some Du`ah who said that it is not Mashru` (Islamically permissible) to study the Injil (Gospel) or quote from it during discussions

with the Christians. Likewise, it is not Mashru` to study comparative religion, because this is all Bid`ah (innovation in religion) and the Du`ah should call the People of the Book only through the Qur'an and the Sunnah (whatever is reported from the Prophet).

The Association replied that the Noble Qur'an and the authentic Sunnah contradict the Christian beliefs. The Qur'an calls the People of the Book to Tawhid (belief in the Oneness of Allah/ monotheism), which is a common matter between them and Muslims, but it argues with them over their other beliefs and asks them to provide evidence. Allah (Glorified and Exalted be He) says: (Say (O Muhammad SAW): "O people of the Scripture (Jews and Christians): Come to a word that is just between us and you, that we worship none but Allah, and that we associate no partners with Him, and that none of us shall take others as lords besides

Allah. Then, if they turn away, say: "Bear witness that we are Muslims.") **And:** (And they say, "None shall enter Paradise unless he be a Jew or a Christian." These are their own desires. Say (O Muhammad صلى الله عليه وسلم), "Produce your proof if you are truthful.") **And:** (All food was lawful to the Children of Israel, except what Israel made unlawful for himself before the Taurat (Torah) was revealed. Say (O Muhammad SAW): "Bring here the Taurat (Torah) and recite it, if you are truthful.")

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It was reported on the authority of Ibn `Umar (may Allah be pleased with him) that he said: (**The Jews** came to the Messenger of Allah (peace be upon him), and mentioned to him that a man and woman from among them had committed Zina (sexual intercourse outside marriage). The Messenger of Allah (peace be upon him) asked them: "What do you find in the Tawrah (Torah) about stoning?) **(Related by Al-Bukhari and Muslim) The question which the Messenger of Allah (peace be upon him) directed to them was to force them to admit the evidence which they know from their book and which is in conformity to the Shari`ah (Islamic law) and to demonstrate the truth mentioned in the Book of Allah (i.e. Tawrah), which they concealed, distorted, and altered. Thus, they did not want to apply the Tawrah laws but Allah (Exalted be He) exposed them.**

(Manhaj Al-Rasul fi Da`wat Ahlul-Kitab, by Muhammad ibn Sidy ibn Al-Habib Al-Shinqity, first edition, vol. 1, Amin Muhammad Ahmad Salim Library, Al-Madinah Al-Munawwarah).

Besides, many Imams and scholars such as: Imam Ahmad ibn Taymiyyah, Imam Muhammad Al-Ghazaly, and Imam ibn Hazm (may Allah be merciful to them) discussed these different creeds and religions and compared them to Islam. Many books were also written in this regard to disclose the aberrance and falsehood of these religions such as Izhhar Al-Haqq by Shaykh Rahmat Allah Kairanawy Al-Hindy. These books proved its importance and benefits, Your Eminence.

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The question is: Is it permissible to study the books of the Christians for the mentioned reasons and for quoting them when necessary? Is it permissible to teach comparative religion at the Da`wah institutions and for the knowledge seekers in the countries of Islamic minorities? Please advise us.

After the Committee had reviewed the question, it replied that it is not permissible for anyone to read the books of the People of the Book that contradict Islam except for the scholars to refute the falsehood of these books. On the other hand, it is not permissible for those who are not qualified to read such books so that they would not influence them. It is also not permissible to teach these books to seekers of knowledge out of comparing it to Islam. Seekers of Knowledge should only study Islamic books as they include refutation of their falsehood and nullification of their claims.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 16579

Q: Is it permissible to give a translated version of the Noble Qur'an to non-Muslims, especially that during our discussions they ask me to offer them a copy of the Qur'an to read? What are the effective methods that we should follow to call non-Muslims to Islam?

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A: There is nothing wrong with giving a non-Muslim who is expected to convert to Islam the translations of the meanings of the Qur'an, because it is not permissible to give them Mus-hafs (copies of the Qur'an). The translations of the meanings of the Qur'an are considered Tafsir (explanation/exegesis of the meanings of the Qur'an) and not a Mus-haf. When calling non-Muslims to Islam, a person should explain to them its principles and show them its merits. They should be asked to embrace Islam, because Allah (Exalted be He) does not accept any religion other than Islam and this should be done in a kind and gentle manner, and by setting good examples for them, and by explaining the true principles of Islam through the deeds and opinions of Du`ah (callers to Islam).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Da`wah

The second question of Fatwa no. 21768

Q 2: What is the ruling on the claim that Da`wah (calling to Islam) should be in complete secrecy?

A: Da`wah can be in secret or in public, whichever is possible, according to circumstances and capacities, following the example of Allah's Messengers (peace be upon them).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21894

Q: Allah (Glorified be He) guides many people all over the world (to Islam) by virtue of calling people to Islam at their homes and having the subjects of Da`wah leave for faithful-oriented environments for 3 days a month, 40 days a year or 4 months in their lifetime. Actually, we systematize Da`wah efforts as such because we believe that regularity and continuity of any work, in all issues of life, can be achieved only through a good system exactly like time and attendance systems. Moreover, His Excellency the Director of Da`wah, Guidance and

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Foreign Communities Enlightenment Bureau in Buraydah, Shaykh `Abul-`Aziz Al-Tuwijry, visited Pakistan and judged doing so not to be a Bid`ah (innovation in religion). Your Eminence Shaykh:

What is the ruling on such a system? May Allah bless you and your time and make you beneficial for Islam and Muslims! Give us a fatwa, may Allah reward you!

A: Da`wah is a noble activity undertaken by prophets and their followers. In this regard, Allah (Exalted be He) says: (Say (O Muhammad صلى الله عليه و سلم): "This is my way; I invite unto Allâh (i.e. to the Oneness of Allâh - Islâmic Monotheism) with sure knowledge, I and whosoever follows me (also must invite others to Allâh i.e. to the Oneness of Allâh - Islâmic Monotheism with sure knowledge). And Glorified and Exalted be Allâh (above all that they associate as partners with Him). And I am not of the Mushrikûn (polytheists, pagans, idolaters and disbelievers in the Oneness of Allâh; those who worship others along with Allâh or set up rivals or partners to Allâh).") In fact, the system to be adopted for Da`wah should be derived from the Qur'an and the Sirah (the Prophet's biography) rather than from the methodology introduced by Islamic groups and not substantiated by any reference to the Qur'an or Sunnah. The system mentioned in the question has no grounds in the Qur'an or (acts, sayings or approvals of the Prophet); rather, it is humanly introduced, bearing in mind that everybody can have their word accepted or rejected except the impeccable Prophet (peace be upon him). In fact, any Da`wah group that does not undertake, as a primary concern, the task of setting right people's belief, propagating the Oneness of Allah, forbidding Bid`ahs and acquiring beneficial knowledge derived from the Qur'an and Sunnah from scholars is not rightly-based because in this way it does not follow the methodology of Da`wah adopted by the prophets. Actually, the first thing a prophet would address to his people was: (O my people! Worship Allah! You have no other Ilah (God) but Him.)

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(When the Messenger of Allah (peace be upon him) sent Mu'adh to Yemen, he instructed him: 'You will be going to a Christian and Jewish Community. Invite them first to testify that La ilaha illa Allah (there is no god but Allah) and that I am (Prophet Muhammad [Peace be upon Him]) the Messenger of Allah. If they accept this, then tell them that Allah has enjoined upon them Five Obligatory Daily Prayers. If they obey, then tell them that Allah has made Zakah (obligatory charity) as Faridah (obligatory act) on them to be collected from their rich and distributed among their poor.) Therefore,

the first task Mu`adh was charged with was calling them to the Oneness of Allah giving it no specific term, whether a week, month or year. No doubt, your specifying a term for Da`wah is not substantiated by any evidence. In fact, there is always a continuing need for Da`wah.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21304

Q: Is it permissible to distribute, throughout the country, pamphlets about Islam? They are published in Chinese and include contact numbers for those who want to ask for further interpretation about Islam. Please advise us with the correct method to spread Islam in Taiwan. May Allah reward you with the best!

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A: Calling to Allah (Exalted be He) is one of the precious deeds that brings a Muslim closer to Allah (Glorified and Exalted be He). Allah praises those who practice it when He says: ﴿And who is better in speech than he who [says: "My Lord is Allâh (believes in His Oneness)," and then stands firm (acts upon His Order), and] invites (men) to Allâh's (Islâmic Monotheism), and does righteous deeds, and says: "I am one of the Muslims."﴾ The Da`y (caller to Islam) to Allah, who calls with insight, follows suit of the Prophet (peace be upon him). Concerning His Prophet (peace be upon him), Allah (Exalted be He) says: ﴿Say (O Muhammad صلى الله عليه و سلم): "This is my way; I invite unto Allâh (i.e. to the Oneness of Allâh - Islâmic Monotheism) with sure knowledge, I and whosoever follows me (also must invite others to Allâh i.e. to the Oneness of Allâh - Islâmic Monotheism with sure knowledge). And Glorified and Exalted be Allâh (above all that they associate as partners with Him). And I am not of the Mushrikûn (polytheists, pagans, idolaters and disbelievers in the Oneness of Allâh; those who worship others along with Allâh or set up rivals or partners to Allâh)."﴾

Accordingly, there are many methods to follow in spreading Islam and calling to Allah; such as individual Da`wah (calling to Islam) in which the Da`y follows what suits each invitee, and public Da`wah by delivering speeches and Khutabs (sermons) and the like. There are also other fruitful means like printing and distributing well-prepared and understandable books and pamphlets to those who may be inclined to embrace Islam.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

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Fatwa no. 20276

Q: Does the Hadith that reads: "A man will be brought on the Day of Resurrection and thrown into the Hellfire; his intestines will spill forth and he will go around them as a donkey goes around the millstone ..." mean that the person who calls people to a false Manhaj (methodology) and those who follow their orders all will deserve the Hellfire?

A: The Hadith mentioned in the question was stated in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim). It is narrated by Al-A`mash from Abu Wa'il that he said: (It was said to Usamah ibn Zayd, "'Why do not you visit so and so (`Uthman) and talk to him?' He replied, 'Do you think that I have not talked to him but that I have made you hear? I have talked to him (about things) concerning me and him and I did not like to divulge those things about which I had to take the initiative and I do not say to my ruler: 'You are the best among people' after what I heard from Allah's Messenger (peace be upon him). The people said, 'What did you hear him from him?' He said, 'I heard him say: 'A man will be brought on the Day of Resurrection and thrown into the Hellfire; his intestines will spill forth and he will go around them as a donkey goes around the millstone. The people of the hellfire will gather around him and say: 'O So and so, what is the matter with you? Did you not enjoin the Ma`ruf (that which is judged as good, beneficial, or fitting by Islamic law and Muslims of sound intellect) and forbid the Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect)?' He will say: 'Yes, but I used to enjoin the Ma`ruf and not do it, and I used to forbid the Munkar and do it.'") (Narrated by Ghundar from Shu`bah from Al-A`mash. This is the wording of Al-Bukhari.) This Hadith indicates

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the true reason why this person will deserve the Hellfire and it is not the reason mentioned in the question.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 20333

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets.

The Permanent Committee for Scholarly Research and Ifta' viewed the Fatwa that His Eminence, the Grand Mufty, has received from the head of the branch of the Ministry of Islamic Affairs, Ifta', Da`wah and Guidance in `Asir, which was transferred to the Committee from the Secretariat General of the Council of Senior Scholars under no. 2197 in 21 Rabi` Al-Thany, 1419 A.H., and to which was attached a letter from the respected Shaykh Fahd ibn Saqr Al-Mudarra`, the judge in Diwan Al-Mazalim (Grievances Court), `Asir branch, which reads as follows:

An acquaintance told me about a phenomenon that has prevailed in some Masjids (mosques) in Tarib. Some people hang a shroud on the Minbar (pulpit) in front of the praying people all the time. The speaker explained that this was intended for exhorting people and softening their hearts. This phenomenon is very obvious, and I have made sure of it myself as we have seen this in the major Masjid in Tarib. This urged me to write to Your Eminence as the authority responsible for

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investigating this matter from the perspective of the Shari`ah (Islamic law), together with considering the Bida`hs (innovations in religion) that have no basis in Shari`ah that might take place as a consequence of it.

After examining the Fatwa, the Committee replied that the above mentioned action, namely, hanging a shroud in front of the worshippers, has no basis in the Shari`ah, and constitutes a Bid`ah; and any Bid`ah is considered a Dalalah (deviation from what is right). Exhortation must be done through the Book of Allah (Exalted be He) and the Sunnah (acts, sayings or approvals of the Prophet, peace be upon him). Thus, this act must be prevented and the shroud removed.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The fourth question of Fatwa no. 20920

Q4: I have relatives in France and they will come during the summer holiday. What do you advise me concerning the way of teaching them the matters of Din (religion) of Islam, bearing in mind that they do not know how to talk or write in Arabic properly? Should I start by teaching them the Arabic language and then give them Islamic books or should I teach them what is Tawhid (belief in the Oneness of Allah) and its categories? Or, should I teach them about Salah (Prayer), Taharah (ritual purification), Zakah (obligatory charity), and Sawm (Fast)? Their holiday will be no longer than two or one and a half months. Please guide us to the way by which we can teach them the matters of Din. May Allah help us to guide others and make us truly guided.

A: If you cannot teach them about religious matters in their native language and also do not have anyone who can do so, then you may teach them the Arabic language in the spoken and written form

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till they are able to understand about the matters of Din in Arabic. This is according to the general sense of the Saying of Allah (Exalted be He): (Allâh burdens not a person beyond his scope.) Yet, this does not mean that you cannot teach them Taharah practically, to go with them to the Masjid (mosque) to offer Salah in congregation, or to search for Islamic books written in their native language, particularly the books issued by the Islamic Ministry or the Ministry of Education in your country.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	\`Abdullah ibn Ghudayyan	\`Abdul-\`Aziz ibn \`Abdullah Al Al-Shaykh

The third question of Fatwa no. 21653

Q3: If there is a woman who wants to embrace Islam, is it permissible for a man to dictate the Shahadah (Testimony of Faith) to her or should it be a woman who does so?

A: There is no problem with dictating Shahadah to a woman who wants to become a Muslim if this is performed by a man or a woman. Yet it is preferable if it is a woman who does so, so that the new Muslim woman can learn all that she needs to know about Islam with complete ease.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of Fatwa no. 21653

Q 2: If a person wants to embrace Islam; should they first perform Ghusl (full ritual bath) or say Shahadah (Testimony of Faith)?

A: It is Mashru` (Islamically prescribed) for anyone who wants to embrace Islam to first say Shahadah then perform Ghusl. This is according to many Hadiths. It was narrated by ﴾ Qays ibn `Asim that when he wanted to embrace Islam, the Prophet (peace be upon him) ordered him to perform Ghusl using water and Sidr (lote tree/ lotus jujube).﴿ (Related by the Five Compilers of Hadith [Imams Ahmad, Abu Dawud, Al-Tirmidhy, Al-Nasa'y, and Ibn Majah] except for Ibn Majah)

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 16293

Q: Your Eminence Shaykh, what is your advice to the expatriate youth? Please advise us, may Allah guide you! Allah does not waste the reward of any person.

A: The expatriate youth seeking knowledge should fear Allah (Glorified and Exalted be He) in all their affairs. They should follow what Allah enjoins and avoid what Allah forbids so that Allah may make all matters easy for them, facilitate their affairs and safeguard them against all evils. They should observe the Five Obligatory Daily Prayers at their appointed times in congregation at the Masjid (mosque) as often as possible. They should befriend righteous, practicing people. They should avoid all places of evil and depravity.

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and should beware of frequenting these places to stay firm on their religion. They should call to Allah by word and deed. A Muslim should be a good example to others. We advise you to recite the Qur'an a lot, with contemplation and deep thinking, and to act upon its teachings. May Allah grant you success and ease your affairs!

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 20368

Q: What is the ruling on giving recent Muslim converts some gifts, or some money to reconcile their hearts to Islam though they are wealthy. The money given may be of the Zakah (obligatory charity) money. May Allah reward you with the best, do justice to you and benefit others with your knowledge!

A: If those who have recently converted to Islam are chiefs and notable figures in their communities, they are of Al-Mu'allafati Qulubuhm (those whose hearts are inclined to Islam) whom Allah mentioned (in the Qur'an) among the Zakah recipients, when He (Exalted be He) says: ﴿and for bringing hearts together (for Islam)﴾ It is permissible to give them from the Zakah to strengthen their faith and encourage others to embrace Islam. Likewise, it is permissible if they are poor

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to give them from the Zakah due to their poverty. However, the Zakah money should not be used for buying gifts or the like, and those people should be given from the same kind of the collected Zakah. With respect to Sadaqah (voluntary charity), it is not permissible to give it but in the charitable ways that a giver of Sadaqah appoints, so if those people come under a category which the giver of Sadaqah appoints, or are permitted to be given, it is permissible to do this to fulfill the said interest. Otherwise, it is not permissible to give them from the Sadaqah.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 19871

Q 2: Some people see Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect) being done, such as acts of Shirk (associating others with Allah in His Divinity or worship), grave worshipping, witchcraft or other evils, but they say: We are not obliged to resist such evil deeds, because there are certain authorities that are responsible for that; and they also do not report these evil deeds to the concerned authorities. What is the ruling on these people?

A: If someone sees a person doing any kind of Munkar or Bid`ah (innovation in religion), they must advise this person in a way that is gentle, lenient and wise; and call them to Islam in a good way, clarifying Al-Haqq (the Truth) for them so that they might give up this sin and turn to Allah (Glorified be He) with sincere Tawbah (repentance to Allah), and exert all their effort to eliminate such Munkar and do their best to rectify it, according to their ability,

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abiding by the Hadith in which the Prophet (peace be upon him) is authentically reported to have said: (Anyone of you who sees something wrong, let them change it with their hand (by taking action); if they cannot, then with their tongue (by speaking out); and if they cannot, then with their heart (by hating it and feeling that it is wrong); and that is the weakest of Iman (faith).) (Related by Imam Muslim, Al-Tirmidhy and others) According to the narration by Muslim on the authority of Ibn Mas`ud: (Beyond that there is no Iman even to the extent of a mustard seed.) Also, Allah (Exalted be He) says: (Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.) Then, if the perpetrator of such evil persists in their deviation from what is right and does not give up their sin, but insists on committing the same offense, the concerned authorities must be informed so as to resist such evil and reveal righteousness. The wrongdoers must be curbed and compelled to abide by the right way, so as to suppress the evil of the perpetrators of Bid`ah and corruption and prevent their harm and influence from prevailing among Muslims.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The fourth question of Fatwa no. 20722

Q 4: I join some gatherings where Allah (Exalted be He) is disobeyed. I advise people while they are committing Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect), such as smoking, etc.,

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until they give it up - all praise be to Allah. Is what I am doing permissible, as I do not resist their evil at the beginning so as not to shun them away?

A: Muslims are permitted to attend places where Munkar occurs with the intention of resisting it and advising those who commit it. But attending such places for other reasons or for participating in the commitment of such sins is not permissible, because Allah (Exalted be He) says: (And it has already been revealed to you in the Book (this Quran) that when you hear the Verses of Allah being denied and mocked at, then sit not with them, until they engage in a talk other than that; (but if you stayed with them) certainly in that case you would be like them. Surely, Allah will collect the hypocrites and disbelievers all together in Hell,) The Prophet (peace be upon him) also said: (Anyone of you who sees something wrong, let them change it with their hand (by taking action); if they cannot, then with their tongue (by speaking out); and if they cannot, then with their heart (by hating it and feeling that it is wrong); and that is the weakest of Iman (faith).) (Related by Muslim in his Sahih [Authentic Hadith Book])

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Book of Sales

The second question of Fatwa no. 20565

Q 2: I have electrical equipment, sanitary fittings and construction materials. Some workers ask for commission on every client. Is it permissible to give them commission, taking into consideration that this commission will be added to the client's list of sales?

A: You have to tell the client about the exact value of the items being bought and not to add any money to the bill, except after informing the clients and after receiving their consent.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 20213

In Kinanah city, we suspected a matter concerning a kind of sale. Some said that it is Haram (prohibited), others said it is Halal (lawful) and others were undecided. We work at Kinanah Sugar Company, which gives every employee a third of a sugar bag. Because some workers are in dire need, they sell their share of the sugar in advance

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at a lower price than that of the current market under the pretext that the sugar was not present at that time. They receive the sugar at the end of the month and sell it at the beginning of the month. Please take into consideration that the share of sugar is not completely guaranteed at the end of the month for two reasons:

A. The worker may be dismissed from the company; consequently, he will not receive the share of sugar.

B. The company may make mistakes in programming and it may delay the workers' share of sugar for a month or two to be given later on.

I hope you give me your Fatwa (legal opinion issued by a qualified Muslim scholar) in this respect taking into consideration all the details of the sale in advance along with the failure to guarantee the share and the low price, and so on, in addition to the fact that there are twelve thousand workers at the company who are dealing in this way. We can say most of them, if not all.

A: This kind of sale is invalid because it is Majhul sale (sale of the unknown) and you cannot guarantee to take your share of the sugar. However, if you sell a known amount of sugar that is guaranteed for a certain time at the current price, and it is received in the meeting during which a contract is concluded, there is no objection because this is Salam sale (sale with advance payment), which is valid according to Shari`ah (Islamic law).

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Fatwa no. 20139

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' has examined the letter submitted to His Eminence, the Grand Mufty, by His Eminence, the Director of Da`wah and Guidance Centre in Al-Dammam, `Abdul-Muhsin ibn Muhammad Al-Banyan, which was referred to the Committee by the Secretariat General of the Council of Senior Scholars no. 199 dated on 02/01/1419 A.H. The letter of His Eminence contained the Fatwa (legal opinion issued by a qualified Muslim scholar) request submitted by Rashid ibn Muhammad Al-Zahrany in which he asks about the Shari`ah (Islamic law) ruling on naming his firm Mu'sasat Al-Sahaby lil-Malabis Al-Jahizah [Al-Sahaby Firm for Ready-to-Wear Clothes]. The Fatwa request reads as follows:

Your Eminence, I have a commercial firm which I called Mu'sasat Al-Sahaby as per Commercial Registration Certificate, a copy of which is attached hereto. However, I was shocked by a man of the Committee for the Propagation of Virtue and the Prevention of Vice (CPVPV) who prevented the car from being sold in the city of Hafr Al-Batin. He objected to the firm's name and demanded that I change it on the pretext that it is prohibited to use the word Al-Sahaby (Companion) as a name of the firm. I tried to persuade him that the name is permissible and asked him to give me evidence that supports the prohibition; however,

he insisted and even threatened that if he saw the car once again, both the car and driver would be arrested. When I contacted the CPVPV in the Eastern Province, they asked for a Fatwa with regard to the firm's name. So I submit my Fatwa request to Your Eminence, asking whether the firm's name is permissible or not. Kindly bear in mind that Al-Sahaby is my family name and that of my father, Muhammad Ma`id Al-Zahrany, who is known as Muhammad Al-Sahaby among his close relatives. He was named so after a shaykh who was a judge in the city of Ta'if nearly 65 years ago. I wish that Your Eminence could give me an authorized Fatwa to present it on demand. May Allah reward you with the best and safeguard you!

Having examined the Fatwa request, the Committee answered that there is nothing wrong with naming the abovementioned firm as Mu'ssasat Al-Sahaby.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21243

Q: Your Eminence, as you know,

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prepaid calling cards (Zajoul Cards) have spread throughout retail stores, that buy them from the Saudi Telecom Company at a cost of, for example, 50 Riyals and then resell them for 53 Riyals, though the purchaser receives only 50 Riyals of call credit. What is the ruling on the three extra Riyals that the shopkeeper gains? Also, what is the ruling on the company giving a discount of one or two Riyals per card for those who buy a large quantity of phone booth cards? Do you see any wrongdoing in this act?

A: There is nothing wrong with buying or selling these kinds of phone cards because they are a lawful utility.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20466

Q: Your Eminence, what is the Shari`ah (Islamic law) ruling on someone who holds a public auction for their commodities and bids up against others to raise the price? We would also like to know the ruling on a person who increases the price of their commodity in an auction not to

sell it in the auction but to raise its value when purchasers ask for it afterwards. Is this permissible and what is the Shari`ah ruling on those who do this? Please advise us, may Allah reward you with the best.

A: It is Haram (prohibited) for anyone who offers their commodity for sale in a public auction to set a price for it, even at or under its market value, or to charge a high price for it through bidding up against customers to increase its price, whether this person really wants to sell it in the auction or increases its price for future sale. It is also Haram for the seller to falsely claim that they have been offered a certain price for this commodity, because this is a form of Najash (an illegal transaction in which the buyer is ensnared by artificial outbidding of a fake buyer), which is Haram in the Shari`ah. This also involves lying, cheating, deceit, wronging, and devouring people's property unjustly. The Shari`ah forbids the Gharar sale (fraudulent transaction where details about the sold item are unknown or uncertain). Ibn Al-Qayyim said: "Al-Gharar refers to ignoring an item's characteristics and the consequences of this." Najash is absolutely Haram whether made by the commodity owner or by someone else who attends the auction with the purpose of raising the price without wanting to buy it; they seek to raise its price to harm the purchaser or benefit the seller or vice versa. Najash committed by the commodity owner is more unjust than Najash committed by anyone else.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 21010

Q 2: Some clients may like to buy or rent a certain building which is accordingly reserved for them unconditionally against a down payment. However, it may happen that the client retracts the buying or rent and then demands his money (the down payment) back. Is it impermissible according to Shari`ah (Islamic law) to refuse to pay back the down payment because reserving the building leaves it unexploited even for a short period of time no matter how high or low the down payment may be? Please, bear in mind that applicable regulations and customs approve of forfeiting the down payment in such a case so that rights of others may not be played with.

A: It is permissible for the seller to take the down payment and not to pay it back to the buyer in the case of voluntary cancellation of the agreement by the buyer, according to the more correct of the two scholarly opinions. Actually, this view is authentically reported to be maintained by some Sahabah (Companions of the Prophet), including `Umar (may Allah be pleased with him). Accordingly, if both parties agree or it is customarily established that the earnest shall be forfeited, it will be binding. This is because it is an established rule according to the Shari`ah that customarily agreed upon stipulations regarding transactions are enforceable so long as they do not conflict with a Shar`y (Islamic legal) text.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20987

Q: I deposited 500 Riyals with the grocer so that my children can take their daily needs from him. When my children buy something from the grocer's, he deducts its price from the deposit. What is the ruling on that?

A: There is nothing wrong with doing so, because you just give him a sum of money as a trust entitling him to deduct the price of anything your children buy from it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20847

Q: We have a department for selling cars on installment. Actually, people are not equal regarding paying installments as some of them might become overdue. Please, bear in mind that following up the process of collecting late payments costs us additional charges concerning fees of collectors and supervisors and the like. Is it permissible according to the Shari`ah (Islamic law) to charge defaulters an additional limited percentage in order to cover additional charges

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and to encourage them to be punctual through being on their guard against incurring additional charges in cases of default?

A: It is impermissible to add extra charges to the debt if the debtor fails to pay installments when payable. Actually, this is the Riba (usury/interest) of Jahiliyyah (pre-Islamic time of ignorance) prohibited by Allah, His Prophet (peace be upon him) and Ijma` (consensus of scholars). Allah (Exalted be He) says: ﴾but if you repent, you shall have your capital sums. Deal not unjustly (by asking more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums).﴿ ﴾And if the debtor is in a hard time (has no money), then grant him time till it is easy for him to repay, but if you remit it by way of charity, that is better for you if you did but know.﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21170

Q: I sold my YM 87 car for 15,000 Riyals in cash. Then, I purchased YM 98 in installments and used it for six months. Afterwards, the owner of the YM 87

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and purchased the YM 98 car in installments. He paid me 15,000 Riyals for my previous car and added to 7,000 Riyals in cash and the rest of the sum will be in the form of monthly installments. Please take into consideration that when I sold my previous car, we did not make an agreement. As the purchaser was keen to transfer ownership, I gave him my ID card and a mandate from the exhibition to do that for the YM 87 car. However, he was not able to do that, and it is still in my possession. I hope will you give me your Fatwa (legal opinion issued by a qualified Muslim scholar) in this respect. Is this permissible? If not, what should I do?

A: If the case is as you mentioned, the transaction is permissible. The basis for these transactions is permissibility and the question does not include any contradiction with this basis.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of Fatwa no. 20626

Q 2: A man purchased a car for a large sum of money on monthly installments and he owned the car. After a period of time, he sold it to its first owner for a price that was less than its previous price at the time of purchase. However, this price was paid in cash. Are

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the sale and purchase permissible?

A: It is impermissible for whoever sells a commodity for a price that is delayed for a fixed time to purchase it for a price that is less than that of its sale because this is called 'Inah sale (sale with immediate cash repurchase for profit), which is impermissible and a form of Riba (usury/interest).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 21425

Q: I had a traditional house, which I sold to a person for seven thousand and one hundred Riyals. I transferred the ownership at the court and the house remained in his possession for two years. Furthermore, this house is located in a district in which all the inhabitants are relatives and this person wants to sell this house. Is it permissible to purchase it at the same price?

A: If what is mentioned is true, there is no objection to purchasing this house, as there is no Shar`y (Islamic legal) offense in doing so.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

(Part No. 11; Page No. 53)

Fatwa no. 20798

Q: I hope you give me your Fatwa (legal opinion issued by a qualified Muslim scholar) concerning a gas station I sold for four hundred thousand Riyals out of which I received only sixty thousand Riyals in cash. Two hundred and twenty thousand Riyals were paid in kind as follows: a YM82 Jeep Salon for forty thousand Riyals, forty sheep for forty thousand Riyals and a YM 83 traditional Mercedes for a hundred and forty thousand Riyals. However, the remaining amount of one hundred and twenty thousand Riyals was divided into two equal installments over two years. The person who bought the gas station used it for two years. After the end of this period, I asked for the balance, but he refused to give it to me. He rather asked me to purchase the station though I offered to give him more time to collect the required money. I purchased the station at the price of two hundred and seventy thousand Riyals that consisted of the balance of a hundred and twenty thousand Riyals and fifty thousand Riyals I paid.

I ask for your Fatwa in this regard to discharge me of any obligation. Is this sale considered valid or a kind of Riba (usury/interest)?

A: According to Shari`ah (Islamic law), it is permissible for you to purchase the gas station, which you sold after the purchaser used it for two years in addition to his failure to pay the remaining value. In addition, it cannot be considered

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as a kind of `Inah sale (sale with immediate cash repurchase for profit) which is prohibited according to Shari`ah, if the use of the man who purchased the mentioned station changed its attributes, and the money he obtained is the returns of his property at the time it was in his possession.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20808

Q: We are Muslims living in New Zealand. We own grocery stores where we sell fresh, canned, and frozen pork. We have to do this because people do not shop in our stores if we do not sell pork. We sell it at cost price without making any profit. Are we permitted to do this?

A: It is not permissible to sell pork or profit from it, for Allah (Exalted by He) prohibited it. Allah (Exalted by He) says: ﴿Forbidden to you (for food) are: Al-Maitah (the dead animals - cattle - beast not slaughtered), blood, the flesh of swine﴾ In another Ayah (Qur'anic verse), Allah (Exalted be He) says: ﴿for that surely is impure﴾

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The Prophet (peace be upon him) was reported to have said: ﴿Indeed when Allah prohibits something, He prohibits its price.﴾ It is not permissible to sell it on the pretext of attracting customers or for any other reason. Suffice it to say that Halah (lawful) business is sufficient enough that there is no need to resort to that which is Haram (unlawful). Allah (Exalted be He) says: ﴿And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴾ ﴿And He will provide him from (sources) he never could imagine.﴾ Alhamdu lillah (All praise is due to Allah).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 21113

Q: What is the ruling on selling shoes lined with duly-tanned pigskin?

A: It is impermissible to sell the shoes containing any pigskin component because this is Najasah `Ayniyyah (ritual impurity with discernable characteristics). Allah (Exalted be He) says: ﴾Forbidden to you (for food) are: Al-Maitah (the dead animals - cattle - beast not slaughtered), blood, the flesh of swine﴿ In fact, the prohibition extends to include all swine body organs including skin. However, prohibition of the flesh is specifically mentioned in the Ayah (Qur'anic verse) as it is the part most likely to be made use of.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21663

Q: I work in the Saudi Consulate in Karachi. We are given exemption from custom duties on vehicles and electrical appliances in accordance with the law. So we buy and resell these items at a profit. My question, may Allah reward you, is:

Is it permissible, in the Shari`ah (Islamic law), to do the following: I make an agreement with a Pakistani to buy a car in my name because I cannot afford to buy it at the present time and I need it urgently; I then submit the car papers to the Pakistani Foreign Ministry to get the exemption, and sell the exemption certificate to the Pakistani; after a period of time, I transfer the car ownership to the Pakistani. Kindly bear in mind that all this takes place with our mutual consent.

Please give me your Fatwa (legal opinion issued be a qualified Muslim scholar) in this regard. May Allah reward you with the best.

A: According to what you have outlined in the question, it is not permissible to do that because it is a lie and trickery designed to circumvent the law. Lying is Haram (prohibited), especially when used to earn money unjustly.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and companions.

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21790

Q: Honored scholars, I am sure that you are well aware of the intensive intellectual invasion encountered by the Muslim and Arab Ummah (nation based on one creed) that aims to westernization and shaking Islamic foundations and principles. It also aims to transfer cultural practices, superstitions and myths of the advanced world with all its mores and ideas to the people of this region and squeeze their resources through such vanities and trivialities.

Muslim children are the main target of an unmanageable torrent from such invading cultures through animated movies shown on satellite channels. The role played by such channels is integrated and given more effectiveness by businesses which in cooperation with foreign companies deepen the practical effect of the relationship between children and animated characters by attractively flooding the markets with below-cost child-related goods, such as toys, tools, briefcases, stickers, pictures, animated character logos and so on.

Under children insistence, parents rush to buy such goods heedless of the negative effect of such logos and pictures on children's character, culture and concerns.

Nowadays, an animated movie dubbed into Arabic (Pokémon), telling the story of strange creatures doing extraordinary things and developing from one form to another, has become a noticeable and dangerous obsession. It has been merchandized into Pokémon products, including balls, trading cards, candy, stickers, school briefcases and tools all of which bear pictures and logos of Pokémon characters and its forms.

What is the ruling on buying, selling and exchanging Pokémon products and goods? How do our reverend Shaykhs advise us regarding such products? What is the ruling on watching such movies? May Allah reward you with the best for benefiting us, Islam and the Muslims! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

A: It is impermissible to buy or sell goods and products of the abovementioned movie because this involves consuming people's money unjustly and cooperation in sin and transgression. It also involves bringing up children to be heedless and idle and promotion of unlawful pictures in addition to other prohibited things. Therefore, people should be warned not to do so or cooperate with those who do so.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20657

Q: Many SONY computer devices for children are currently widespread. They contain many games in the form of animated cartoons of cars, persons, animals and so on. Some of these tapes, or CDs, contain immoral pictures of men and women that resemble the real pictures. These pictures are most frequently at the beginning of the tape to present the story of the content of the tape or competition. Moreover, the show is interesting and short in duration, during which the child becomes interested in continuing the game and joining the competition on the spot. I viewed one of these tapes titled 'Resident Evil'. At the beginning of its presentation, there is an almost naked woman, wearing very tight clothes that reach halfway up her thighs. Moreover, her body is clearly shaped and her breasts were very noticeable.

I found her riding a two-wheeled tank and when she reached a place, she stepped down and entered a bar where wine is served and many whores exist. However, this place was empty, and the woman walked around it. Suddenly, she found a man who was drinking wine and tried to catch her upon seeing her - of course to commit Zina (sexual intercourse outside marriage) - but she ran away. In this way, the people who produce this tape attempt to give the false impression that even if a woman is dissolute and immoral, she can be virtuous and chaste. Then, I found other drunken men from whom the woman was trying to escape. At this point, the show came to an end to give the child a chance to continue the mission in a state of extreme excitement wondering about what would happen next after she was caught. When the child starts the competition, he moves the woman and the drunken men after her. If one of these men catches the woman, he embraces and kisses her, while the child watches them and continues the game. If the drunken men were able to catch her and beat the competitor, one of them jumps over her, kisses her and has sex with her. However, the picture is not displayed completely. In addition, the other drunken men swoop down on the prey. During this time, the boy or the girl watches the scene, and they may watch it with each other. Moreover, they may try to imitate what they watch. Then, the snapshot stops. In this way, the children get used to watching such scenes. Moreover, there are wrestling tapes, which display naked men

with the exception of Al-`Awrah Al-Mughallazhah (the strictest definition of the private parts of the body that must be covered in public). Moreover, there are tapes that display women while taking a shower, but hiding behind an insulator that may reveal some of their charms and so on. The questions are:

1- What is the ruling on purchasing or selling this kind of device, taking into consideration that it amuses the children and prevents them from going out and watching dissolute films. In addition, please note that there are tapes that do not contain dissolute pictures and snapshots such as car races and so on. What is the ruling on selling or purchasing

such devices and their tapes?

2- What is the ruling on children and adults watching them for long hours?

3- What is the ruling on the music played in them?

4- If they are Haram (prohibited), what is a suitable substitute for the children?

5- What is your advice for the owners of stores that import and sell these devices?

A: It is impermissible to sell or to purchase films containing pictures of creatures that have souls, as there is a lot of Shar`y (Islamic legal) texts that prohibits making, selling and supporting pictures. They become more prohibited if they lead to spreading Zina and sins, arousing interest in them by revealing the `Awrah (private parts of the body that must be covered in public), kissing, Tabarruj (woman's public display of her charms or adornment) and unveiling the face, mixing between the two sexes, or sodomy. This is so whether these films are

directed to children or adults. The one who spreads them betrays Allah (Exalted be He), His Messenger (peace be upon him) and Al-Mu'minin (believers). He is included in what Allah (Exalted be He) says: ﴾Verily, those who like that (the crime of) illegal sexual intercourse should be propagated among those who believe, they will have a painful torment in this world and in the Hereafter.﴿ May Allah save us from the causes for His Wrath and Punishment.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. (20437)

Q: My brothers and I trade in TVs, internal and external antennas and condensers, but we have never traded in receivers. We have a small amount of wealth, taking into consideration that I (a professor of physics) pay them the monthly rent fees. Then, I became acquainted with your legal opinion concerning TVs. My question now is: What is the ruling of the Wise Law-Giver (Allah) on my money that I earned before being acquainted with your legal opinion? What is the ruling of the Wise Law-Giver on the money that is still in the form of TVs and antennas?

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A: You must stop trading in prohibited commodities or any form of them. Also, you should stop helping in sin and Batil (false). The one who leaves something for the sake of the Pleasure of Allah, will be compensated by Him with more than what he had. We hope that there is nothing wrong with the money you earned from your previous trade, as you did not know and as Allah (Glorified be He) says: ﴿whereas Allâh has permitted trading and forbidden Ribâ (usury). So whosoever receives an admonition from his Lord and stops eating Ribâ (usury) shall not be punished for the past; his case is for Allâh (to judge)﴾

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. (21169)

Q: What is the ruling on purchasing from a Pepsi machine which exists in the streets and doing so after the second Adhan (call to prayer) of Jumu`ah (Friday) Prayer? Does the ruling of prohibited sale apply to this?

A: The Noble Ayah (Qur'anic verse) is general is preventing the seller and purchaser from selling and purchasing: ﴿O you who believe (Muslims)! When the call is proclaimed for the Salât (prayer) on Friday (Jumu'ah prayer), come to the remembrance of Allâh [Jumu'ah religious talk (Khutbah) and Salât (prayer)] and leave off business (and every other thing).﴾

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21409

Q: Flower stores are wide spread in some hospitals, and we see some of the visitors bring flower bouquets to the patients. What is the ruling on this?

A: Throughout the centuries, Muslims have not been accustomed to giving natural or artificial flowers as a gift to patients in hospitals or in any other place. This habit came from the disbelieving countries, conveyed by the weak believers, who have been affected by them. In fact, flowers do not benefit the patient, and bringing them as a gift is merely an imitation of the Kafirs (disbelievers). Also, this habit includes squandering money in matters that do not deserve it. As it is feared that this habit will lead to the belief that flowers are regarded as one of the reasons for recovery, it is not permissible to use the flowers in the mentioned way, either by selling, purchasing, or giving.

The acts that are permissible in visiting patients are: supplicating to Allah (Exalted be He) for their recovery, consoling their souls with hope, and advising them with what they need during their illness, as mentioned in the Sunnah (what is reported from the Prophet).

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. (21896)

Q1: I work at a used car markets. The owner of the dealership where I work tells his employees that if one of us finds a car in a good condition, we should buy it as if it is for us, pay the down payment and get the rest of the money from him to give to the seller. The owner gives 500 Saudi Riyals if he makes a profit, but may not give them anything. Please take into account that the dealership owner does not commission us to buy the car on his behalf, and if the owner of the car learns of this, he will not agree to sell it to the dealership. I feel that I lied to the car owner by telling him that the car was for me when in fact, I bought it for the dealership. The owners of the dealership may sometimes say that we do not know whether a car is in good condition or not, so as not to give us a commission. One of the good youths told me that such transactions are Riba (usury) and this is what made me write you to you. I would like you to inform me and others who also work at dealerships in used car markets and to advise the owners of these dealerships. Please take into account that there are many good Muslims who observe Prayers working there.

A1: It is not permissible for you to buy a car in your name for the owner of the dealership, as this involves lying and deception. If you do buy it in your name, it becomes

your property which you may sell to the dealership in question or to any other.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	\`Abdullah ibn Ghudayyan	\`Abdul-\`Aziz ibn \`Abdullah Al Al-Shaykh

Q2: My father owns a farm on which he grows Qat (Khat: leaves and buds that are habituating stimulants when chewed or used as a tea), alternating the rows between Qat and corn. He orders me to water the corn and the rest of the farm, but I refuse because the Qat is planted along with the corn and because I cannot water the corn without the water reaching the Qat. My father sometimes not only orders me to pick the Qat to sell at the market, but also sometimes orders me to sell it myself. Sometimes I obey him and at other times, when I try to explain that the plant is prohibited, he becomes angry. I love my father and wish only what is good for him and pray that he enters Jannah (Paradise). Please take into account that my father observes Prayers regularly. But the problem of Qat in Yemen is a public concern.

My question is: Is my work permissible? If not, please direct me and advise my father so that he may be persuaded if he sees and reads my name as the inquirer, especially if the Fatwa is from the the Permanent Committee and he sees and reads the signature of the Grand Mufty.

I kindly request from the eminent scholars that they advice my father, the people in my village and especially the people of Yemen, in general. I also hope that you supplicate to Allah to guide my father to the Right Path. May Allah reward you with the best on behalf of all Muslims!

A2: It is impermissible for you to obey your father in watering the Qat because it is prohibited, as it is also prohibited to sell and receive money for it. It is impermissible to obey anyone in disobeying

Allah for this involves cooperating in sin and transgression.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. (21669)

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' reviewed the letter no. (4869) dated 5/8/1421 A.H. that His Eminence, the Grand Mufty, received from an inquirer who is the owner of car agency. The letter was sent by the General Manager of the Ministry of Islamic Affairs, Tabuk branch, to the Committee from the Secretariat General of the Council of Senior Scholars. The inquirer's question includes the following:

I own an auto dealership at Tabuk. In this letter, I intend to clarify the facts regarding buying and selling new cars such as HiLux cars and pick up trucks. The buyer comes to our dealership and purchases a car for an agreed price based on a certain method of payment; whether it is monthly installments or during a specific period. However, before the sale we stipulate that he is not to resell it to any other dealership and he agrees. Upon the sale, we specify a price

and not more. For instance, in other dealerships or the auto market, the HiLux is sold for 38,000 Saudi riyals when in our dealership we pay 36,000 SR for it. If anger erupts over the low price, we say, "If you do not like the price or do not want to conclude the transaction, we can tear up the papers." And he would then, due to his need for money, agree to sell for the price we offer him. In the case where the buyer says that he will transfer the ownership of the car to his name, the dealership refuses while in some instances the price is doubled; if it is concluded at the time of purchase and sale at the dealership it costs 500 SR, and if if the title is in his name it costs 1000 SR. This is what happens daily at auto dealerships. Dealership owners monopolize the sale of new cars; they prevent the purchasers from reselling them to other dealerships and do not transfer their ownership to the purchasers. If the purchaser refuses this manner of sale, they refuse to buy the car from him and he is forced to comply due to his financial need which forces him to resort to buy on credit and sell for cash at the price stipulated by the dealership. This is the case I present to you fearing Allah, and to absolve myself from any sin on the day I will stand before Him.

May Allah grant you long life and increase your knowledge with what benefits the people!

We request a clarification of what is permissible and what is prohibited in what we do as mentioned above.

After the Committee examined the inquiry, its reply included that the conditions mentioned in the question are Batil (null and void) because once the sale is concluded, the buyer is free to dispose of the car, complete the necessary documents and sell it to whomever he wishes. He must remove it from the dealership from where he bought it since he will not receive its worth except in this manner.

The seller is entitled to put the car up as collateral for its price and prevent the purchaser from selling it until he pays its full price.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	\`Abdul- \`Aziz ibn \`Abdullah Al Al-Shaykh

Fatwa no. (20712)

Q: Two persons are equal partners in a commercial store. One of them decided that he wanted to withdraw from the partnership by waiving proprietorship of the store to his partner after liquidating all the merchandise in the store and appraising all its valuables. The two parties agreed that the person getting the store will pay half of its value. Since he is not in possession of the money at present, they agreed that he pay it in monthly installments. They will split any proceeds

(Part No. 11; Page No. 70)

generated during this period in half.

Does this agreement conform to the venerable Shari`ah (Islamic law)? Please benefit us in this regard!

A: The scenario mentioned in the question is impermissible and the contract is Batil (null and void) because it involves a double sale. This is because the partner withdrawing from the partnership stipulated that he will share in the profit of the share he sold and to which he is no longer entitled. Moreover, this contract involves Gharar sale (fraudulent transaction where the details about the sold item are unknown or uncertain) and Jahalah sale (sale with lack of knowledge) due to the condition laid down by the withdrawing party of sharing the profits but not the losses. If there are any disputes between them, they can resort to the courts.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. (21407)

Q: We present to Your Eminence our question, hoping that you examine it well along with the Permanent Committee for Scholarly Research and Ifta' and issue a prompt Fatwa on the following two matters:

1- In the Governorate of Al-Dawasir Valley we are currently in the water melon season.

2- A large number of farmers ask about this important matter, especially those who follow the Right Path, seek to follow the right conduct

(Part No. 11; Page No. 71)

and wish to absolve themselves of any blame for anything that is prohibited by Allah.

The owners of the water melon farms use the following:

1- Illegal hormones to increase production and fruit size and enhance their variety. The use of these hormones is harmful to humans and the Ministry of Agriculture and Water forbids their use.

2- They use pesticides and fungal pesticides that are not permissible during periods ranging from one to three weeks before harvesting. Although the farmers are obliged to refrain from using them during these periods, some continue to do so and harvest the fruit on the same day or the next.

What is the ruling on using the above mentioned hormones and pesticides?

And what is the ruling on the money generated from the sale of these fruits as mentioned?

We hope that you will advise the farmers on this and other similar matters.

A: This practice is unlawful because it involves deceiving Muslims. It has been established that the Prophet (peace be upon him) said: ("He who deceives us is not of us (is not my follower).") Such conduct harms Muslims and whoever harms a Muslim Allah will harm him. Therefore, they are sinners and have committed a prohibited act and must be

(Part No. 11; Page No. 72)

punished for their deception. It is not lawful for anyone who knows the method of the cultivation of these fruits to merchandise or sell them, as this involves helping one another in sin and transgression. Allah (Exalted be He) says: (Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.)

These farmers and others like them from among Muslims must fear Allah and help one another in virtue, righteousness and piety and keep away from that which leads to sin and transgression. They must seek lawful profit and income and refrain from what is prohibited, or else they will be blinded by the temptations of this world such as accruing wealth from any unlawful means. Small sums of lawful profit are better than large sums of prohibited profit. Muslims must inform the authorities of

any person involved in this so that they may be punished since this is from among the Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect) and therefore must be repudiated. Moreover, Muslims must urge one another to what is right, enjoin what is good and forbid what is evil, and advise others.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21661

Q: I own a number of retail stores and supermarkets in Makkah, Jeddah, and Madinah where I sell food and other consumables.

From time to time, certain distributors of foodstuff and other consumables offer me fake commodities that are close to the originals in terms of outward appearance and trademark and which the consumers cannot distinguish from the original.

Some brothers, may Allah reward them with the best, advised me not to do sell these products because it is cheating the consumer. Furthermore, it harms the traders and shopkeepers who trade in the original commodities.

Your Eminence Shaykh, is it permissible to sell and trade in these fake commodities? Does distributing these fake commodities to the retail stores that sell and trade in them contradict the Shari`ah (Islamic law) of Allah (Glorified and Exalted be He)?

Please advise us, may Allah safeguard you.

A: It is not permissible to sell the fake commodities claiming that they are original. Also, it is not permissible

to trade in or distribute them to retail stores because this involves cheating and lying to Muslims. The Messenger of Allah (peace be upon him) was reported to have prohibited cheating in his saying: ﴾Whoever cheats us is not one of us.﴿ It also involves collusion in sin and aggression and devouring people's money unjustly. Allah (Exalted be He) says: ﴾but do not help one another in sin and transgression.﴿ And: ﴾And eat up not one another's property unjustly (in any illegal way e.g. stealing, robbing, deceiving, etc.)﴿ Moreover, this involves harming those who sell the original commodities and competing with them without the right to do so. Therefore, it is Haram (prohibited) to sell these forged commodities without informing the buyer of this fact; to do so would remove the blessing inherent in the transaction. The Prophet (peace be upon him) was reported to have said: ﴾Both the buyer and the seller have the option (of canceling the contract) as long as they have not separated; then if they both speak the truth and make everything manifest, their transaction shall be blessed; and if they conceal and tell lies, the blessing of their transaction shall be obliterated.﴿ (Related by Al-Bukhari in his Sahih on the authority of Hakim ibn Hizam (may Allah be pleased with him) who said that the Prophet (peace be upon him) said: ﴾A Muslim is a brother of his Muslim brother and it is unlawful for a Muslim (the seller) if there is a defect in the goods sold, not to point out or show it to his (Muslim) brother (the purchaser).﴿ (Related by Imam Ahmad and Ibn Majah on the authority of `Uqabah ibn `Amir [may Allah be pleased with him]). Al-Bukhari related the same (with slight variation) in a Hadith Mawquf (words or deeds narrated from a Companion of the Prophet that are not attributed to the Prophet).

May Allah grant us success. May peace and blessings upon our Prophet Muhammad, his family and Companions.

Permanent Committee of Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20684

Q: I bought a piece of land and wanted to buy an adjacent plot to expand the area. Since I was unable to pay cash, I asked a company to buy it for me and then sell it to me in installments. The company did in fact buy it after we settled on the sale price to be paid in installments and the maturity period. Now, after the company came into possession of the plot of land, I wish to ask Your Eminence about the ruling on buying this plot of land in installments and whether this transaction involves Riba (usury) or anything Haram (unlawful)?

A: If the company purchased the above mentioned plot of land and acquired full possession of it, it is permissible for you to buy it from them and this does not involve any prohibition. However, it is impermissible for this company to sell the plot of land before it purchases and acquires possession of it, in compliance with the command of the Prophet (peace be upon him) who said: ﴾Do not sell what you do not have.﴿ Therefore, it is impermissible for you to enter into a contract with the company before it completely owns the plot of land and has it under possession.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. (20812)

Q2: A man deposited a sum of money with a merchant. This man sells bags of rice on installments. When someone approaches him to buy bags of rice on installments, he agrees on a

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price and sends him to the merchant to receive the merchandise. Is it permissible to sell bags of rice on installments; if someone who wants to buy bags of rice on installments, one agrees upon the price and purchases for him what he wishes. Is this permissible?

Q2: It is impermissible to sell rice or any other merchandise except after coming completely into its possession due to the words of the Prophet (peace be upon him) who said: ﴿Do not sell what you do not possess.﴾

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. (21241)

Q: A merchant deals with a governmental company; this company requests that he buys materials it needs as well as others in the following manner:

The company gives this merchant a list of what it needs who sets certain prices either due to his prior knowledge of the prices or because he asks about market prices and adds his profit. He then returns the list to the company with the final quotes, i.e. the price of the merchandise in addition to his profit. The company signs and approves the papers after presenting them to the financial surveillance office

for approval. The company returns the list to the merchant who then buys the items it needs and submits the bills of sale along with the merchandise to the company. The company then transfers the money to his bank account. The company does not deal in any other way.

The question is: What is the ruling on this transaction? What is the ruling on the profits that the merchant receives from these transactions? Please take into account that he is ignorant of the ruling. Is there anything that the merchant must do?

A: It is impermissible for the merchant to sell what he does not have or own because the Prophet (peace be upon him) forbade this. (Hakim Ibn Hizam, may Allah be pleased with him, said: I approached the Prophet (peace be upon him) and said: "People sometimes come up to me and ask to buy what I do not have. I go and buy what he needs from the market and sell it to him." The Prophet (peace be upon him) replied, "Do not sell what you do not own.") Related by Abu Dawud, Al-Tirmidhy and Al-Nasa'y.

As for the profits made by the merchant from these transactions while he was ignorant of the ruling, there is nothing upon him.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The fourth question of Fatwa no. (21095)

Q4: Some people enter into agreements with companies to buy land and then proceed to sell it once again. Please take into account that the sale is not finalized except after the company receives a down payment. What is the ruling on this?

A4: It is impermissible to sell a plot of land or any other object except if it is in one's possession at the time of the sale. The Prophet (peace be upon him) said: ﴾Do not sell what you do not possess.﴿

The down payment is evidence to the finalization of the sale, and therefore it is impermissible in this case.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. (21295)

Q: I am a merchant and sell cars on monthly installments. This matter has begun to trouble me due to the Fatwas I hear and read about it.

First: The manner I follow when buying a car that I intend to sell on monthly installments is as follows: I first examine the car before buying it and then pay its price which is approximately 35, 000 and receive a bill of sale listing its make and model while it is still at the dealership. There is nothing to

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prove my ownership except for this document. I buy the cars for the profit I make from the installments.

Second: The method of selling the cars: The person wishing to buy a car negotiates with me after which we reach an agreement on the price which is approximately 50, 000 Saudi riyals. The monthly installment is approximately 1, 500 SR for a specified number of months and total price. Please take into account that I sell some of the cars after receiving a down payment while I sell others without any down payment, according to the agreement between me and the buyer. Moreover, I am aware that the buyer is not in need of the car itself, but of its price since he will sell it to another buyer for cash, but for a lesser price than its price in installments due to his financial need. I am not involved in this second transaction.

I request that Your Eminence clarify whether or not this transaction is correct. If not, what is the ruling on the above manner of buying and selling?

Please tell me the ruling, may Allah have mercy upon you!

A: If you buy a car or any other object, it is impermissible for to sell it until you receive its price in full and remove it from the seller's place to yours. This is because the Prophet (peace be upon him)

(Part No. 11; Page No. 80)

forbade selling items on the spot before taking them to their places. As for the fact that the buyer purchases the car from you when he is not in need of it but wants to sell it due to his financial need, this has nothing to do with you and there is nothing upon you provided you do not buy it from him. This transaction is called Tawarruq sale (selling by installments, then the purchaser sells the product to a third party for cash) and it is permissible according to the Jumhur (dominant majority of scholars).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. (21665)

Q: I bought a car nine months ago for 53,000 riyals on an installment plan of 1,073 riyals per month. However, I wanted to buy a better car from the same company that sold me the first one. The company's officials told me that they, in such a case, would rescind the first contract and take back the older car considering the nine installments I have so far paid as the car rent. As for the new car, a new contract will be signed and a fresh installment plan will begin. Is the permissibility of doing so subject to any doubt? May Allah reward you with the best for benefiting Muslims!

A: The case as mentioned in the question is an example of Iqalah, which means rescission of the contract voluntarily by the contracting parties, the seller taking back the car and the buyer taking back the price.

However, it is invalid to change the sale contract into a rental contract after paying a number of installments.

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The correct procedure is to price the car and sell it either to the seller, who has already received a portion of its price, or anyone else and then buy the new car you like.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul- `Aziz ibn `Abdullah Al Al-Shaykh

Riba and Exchange

The first question of Fatwa no. (20756)

Q 1: A man bought a car for 30,000 riyals and paid 25,000 up front leaving a balance of 5,000 riyals due after a month. He then sold the car for 35,000 on credit to be paid after one year. Unable to pay the deferred payment when due, i.e. after one month, he asked another man to pay the 5,000 riyals on his behalf in return for one-sixth of the profit gained by selling the car. Is it permissible to do so? Please, bear in mind that the latter expected a guaranteed profit and sold his share of the car without having bought it. What is the ruling on such a transaction?

A: The transaction as described in the question is a Riba (usury/interest)-bearing transaction and is thus unlawful. In fact, it is clear that the man who is to pay the deferred payment on your behalf expects to be repaid more than what he paid as he knows how much one-sixth of the profit equals. Moreover, your profitably in selling the car you bought on credit is valid. Nevertheless, it is impermissible to pay back the man who lent you 5,000 riyals a larger amount of money and it is also impermissible for the lender to accept this profit. Rather, he should refrain from earning money through a usurious transaction knowing that if he gives up something (unlawful) for the Sake of Allah, He will replace it with something (even) better.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. (21566)

Q: I submit to Your Eminence a request for a Fatwa on letters of credit as a standard banking practice. A letter of credit is a contract between a Saudi bank and a Saudi business (importer). The Saudi bank notifies a foreign bank that payment is available and they can ship the merchandise the Saudi business has ordered from a foreign business (exporter) with the full assurance of receiving payment. The Saudi bank, by doing so, approves a standard loan underwriting process with a deposit of 25%, 50% or 100% of the face value of the letter of credit, in return for receiving typically between 0.25% and 1% of the face value of the letter of credit plus fees such as mailing costs. Later on, the Saudi business is to repay on an agreed upon defined date as an interest-free loan. If the Saudi business defaults, the Saudi bank will have to pay to the foreign bank the due payment. Please, bear in mind that the letter of credit guarantees the rights of both parties (such as date of delivery and meeting qualifications... etc). Moreover, some foreign businesses (exporters) stipulate opening a letter of credit in their interest or that the full amount be remitted, which does not safeguard the rights of the Saudi business

in case the full amount or part thereof is remitted to the exporter.

The question is: Is it permissible for me to open a letter of credit bearing in mind that I am to pay on the set date and thus do not incur any interest? Give me Fatwa, may Allah reward you with the best!

A: The letter of credit stands for loan underwriting. In fact, the basic ruling on loan underwriting is that it is permissible, unless accompanied by something unlawful according to Shari`ah (Islamic law). As a matter of fact, a letter of credit is usually accompanied by an infringement to Shari`ah, such as usurious transactions, receiving a commission in return for underwriting, implication of an invalid contract such as an insurance contract and selling something that is not owned and the like. Accordingly, it is impermissible to deal in transactions based on a letter of credit unless it entails no infringement of the Purified Shar` (Law).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. (21788)

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets. To proceed: The Permanent Committee for Scholarly Research and Ifta' reviewed the letter reached the Grand Mufty from His Eminence the General Director of Awareness and Guidance at the General Presidency of the Commission on the Promotion of Virtue and Prevention of Vice, that is assigned and transferred to the Committee from the Secretariat General of the Council of Senior Scholars, numbered

2997, dated 15/6/1421 A.H., asking His Eminence the following question:

You can find attached to this letter some enclosures for advertisement and propaganda concerning personal loans issued from some banks in The Kingdom of Saudi Arabia. Many Muslims are involved in such loans. Thus, I hope that you submit these enclosures to the Grand Mufty to know the legal ruling on such transactions, taking into consideration that many banks seek promptly to bring them before the people by distributing them in their sites at times and by correspondences at other times.

After the Committee examined the Fatwa request, it replied that taking out bank loans is prohibited, because it is Riba (usury/interest). If this is the case, then circulating and promoting them are also prohibited, as they help in sin and transgression. Allah (Exalted be He) says: ﴿Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.﴾

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. (21503)

Q: We inform you that we deal with banks abroad using Riba (usury/interest) in their transactions. The method of transaction is that they pay interest to you after depositing a sum of money; and at the time of withdrawal, it deducts from 1% to 1.5% of the deposited sum. Is the amount deducted at the time of withdrawing the sum interest?

A: What is mentioned is prohibited Riba according to the Book (the Qur`an), the Sunnah (action following the example of the Prophet) and the Ijma` (consensus of scholars); either the bank or the owner of the account is the donor of the extra money. Thus, you should leave transactions that are executed in this usurious way.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. (21406)

Q: There are many investment funds in the local bank, saying that they apply the Islamic Shai`ah (Islamic law) throughout Murabahah trade (trade with an agreed profit margin), as they purchase and trade in non-prohibited commodities such as minerals, vegetable oils, and cars. Many companies and international foundations trading in non-prohibited commodities, as mentioned before, contribute to the capital of the fund.

What is the ruling on participating in these funds, taking into consideration that they take 10 % of the profits in return for their fees, even though they do not guarantee the profit?

A: Invest your money legally in methods other than banks, because the transactions of the banks are based on Riba (usury/interest). Thus, they are not truthful in saying that they invest their money legally, because what counts is what they do in most of their transactions. Thus, you should not trust them. Moreover, dealing with usurious banks implies encouraging and helping them to continue in their prohibited transactions. This is included in the prevention mentioned in what Allah (Exalted be He) says: ﴿but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.﴾

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21194

Q: I hope you provide us with a Fatwa concerning the system called "Bentagono", and which is created by an Italian company. This system is spreading rapidly

due to the easiness of the Internet and email. I hope you will inform us whether this system is Halal (lawful) or Haram (prohibited), as there are many people who earned thousands of dollars from it, and do not want to dispose of it or even know the legal opinion regarding it.

There is a simplified explanation of the "Bentagono System": There are certificates for some persons, each of which has 7 names for different persons from a country or various countries. They are arranged from the first to the seventh; the one who attains the seventh rank owns the certificate. The name and address of the person who attains the first name are mentioned. If a person - such as me- wants to participate, he should perform three steps as follows:

1- I should buy this certificate from anyone who attains, of course, the seventh rank in return for 40 USD.

2- I should transfer 40 USD as a bank transfer to the person, who attains the first rank in this certificate.

3- I should transfer 40 USD as a bank transfer to the Italian company, supervising this system along with a copy of the bank transfer to the person attaining the first rank in the certificate, as well as

a copy of the certificate I bought from the company in Italy.

Thus, it means that I spent 120 USD. Upon completing the previous three steps, the company sends three new certificates, in which my name attains the seventh rank. Also, the one from whom I bought the certificate attains the sixth rank, while each of the other names moves to a higher rank. The person at the top earns the 40 USD I sent to him and comes out of this plan.

Then, I sell these three certificates to three persons in return for 40 USD for each one, i.e., I earn 120 USD, which I spent previously. Thus, I have not lost anything. Each one of these three persons does what I did. When each of them owns three certificates, my name attains the sixth rank in 9 certificates and the first in certificate no. 2187, after 6 levels or at least a great number of certificates are sold from one person to another. Thus, every person buys a certificate, in which my name attains the first rank, and sends 40 USD to my bank account or

my mail address. Thus, my balance reaches 87.480 USD. You should note that the person should sell the certificates in a period that does not exceed 90 days, otherwise the company withdraws this certificate, and even gives a gift to the person who sells his certificates in less than 30 days to guarantee the continuity and marketing of this system. This means that regardless of the long period, the buyer will attain the first rank.

Attached are a copy of this certificate, the advertisement of the company in which it explains the Bentagono system and a copy of the certificate sent to an Egyptian friend of mine, who has attained the first rank as well as many others from Egypt, Saudi Arabia and other countries who sent him bank transfers. This system has spread all over the world and the balance of my friend has reached more than 30,000 USD, and he still receives bank transfers.

After this summarized explanation of the system, I hope that you will give us an official legal opinion concerning this system, as thousands of youth, who gained money from this system, are waiting for it. May Allah reward you with the best for us and Islam!

A: This transaction is Haram (prohibited), because it includes Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment) and Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess). Selling money for absent money while selling the mentioned certificates may be regarded as Riba Nasi`ah.

When the buyer pays money to gain more money, it can be regarded as Riba Fadl. Both kinds of Riba are prohibited in the Qur`an and Sunnah (acts, sayings and approvals of the Prophet). The Muslim should fear Allah (Exalted be He), and avoid malicious gains and prohibited transactions.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21214

Q: We have a fuel contract for the cars of one of the companies with which we have such agreements. The cars of this company come from Riyadh to Tabuk, passing by our station located in Ha'il. An amount of petrol usually remains in the container from which cars are fueled. The driver asks for payment of a sum of money in cash in return for the remaining amount in order to be able to get fuel from the city of Tayma' in addition to paying the road fees. Since the price of oil is 0.37 riyal per liter (r/l), is it permissible for us in this case to price the amount for which they want to compensate us at a less price than that of the contract; which is 0.37 r/l for instance 0.25 r/l in return for payment on credit. The contracting party and the drivers all agree on this.

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They insist on this and do it in this way throughout the roads of the Kingdom (of Saudi Arabia) which they use in their journeys. For example:

- A tank truck is registered to have an amount of fuel as follows:

5000 liters of diesel, from which only 3000 liters have been taken according to the capacity of the vehicle's tank. Then the 3000 x 0.37 r/l will be counted according to the contract and the registered amount of 2000 liters in the tank remains.

The question is: Is it right and permissible to count the remaining amount of 2000 liters multiplied by the price of 0.25 r/l? For instance: 2000 liters x 0.25 riyals = 500 riyals, to be given to the driver or the person in charge of the car in return for facilitating the task of the driver with regard to the remaining distance of the journey to Tabuk. Note that there is no other contractor of the remaining distance from Ha'il to Tabuk, and that the causes of the price difference from 0.37 to 0.25 r/l are attributed to the fact that we pay 0.25 r/l directly to the driver and that obtainment of money from the owner of these cars will be done on credit, including fees of postage, accountance and fines of delay stipulated in the rules applicable in the owner's company. We hope Your Eminence will reply.

A: It is not permissible to pay the driver or the contracting party 0.25 r/l on spot instead of the price agreed upon, which is 0.37 r/l

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on credit, because this combines Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment).

May Allah grant us success. May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The first question of Fatwa no. 21264

Q 1: What is the Islamic legal opinion about non-Islamic commercial banks that give loans with interest, and also give interest on the funds deposited with them, noting that they have Fatwas issued by some scholars stating that there is no problem with this?

A 1: Interest imposed upon loans, whether by banks or any other associations is considered Riba (usury/interest) that is Haram (prohibited) by Ijma` (consensus of scholars). No Fatwa (legal opinion issued by qualified Muslim scholar) can be considered valid in this respect, because it is contradictory to evidence from the Qur'an, the Sunnah (whatever is reported from the Prophet) and the Ijma`.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. (20292)

Q: I live off of my mother's pension which she receives from France

where my father used to work. We exchange the currency as follows: We commission a person who gives us the money in Algeria in Dinars and then goes to a bank in France where he gets francs and vice versa in France where he takes francs from the bank also as our agent and when he returns to Algeria, he gives us dinars. The exchange rate is one franc to fourteen Algerian dinars. I asked some brothers here who said that this is Riba Al-Nasi`ah (usury of delay, conditional excess for delay of payment). Our house was built from this money and we spend from it on our food and drink and everything else. My tuition fees, books and clothes are likewise from it. I also used to give Sadaqah (voluntary charity) and observe voluntary Sawm (Fast), but when I learnt that this money is Riba, I stopped because Allah does not accept any act except that which is good. I have lost hope because whenever I think about this, I find that everything in my life is from a Haram (prohibited) source and think that how can Allah (Glorified and Exalted be He) accept acts of worship from me when my food is Haram, my drink is Haram and my home is Haram. My enthusiasm for my studies has waned and I maintain that the certificate I will receive is from Haram sources. What am I to do?

A: If your agent gives you Algerian dinars before he travels to France by way of a loan and then after he takes your father's pension from the bank in French francs, and gives you the money according to the exchange rate of dinars and francs in Algeria and does not stipulate an increase in price, then there is no harm in this. This is because (of the narration of Ibn 'Umar, may Allah be pleased with him and his father, who said: O Messenger of Allah! I

sell for Dinars (old Arab coin that equals 2.975 grams of gold) but receive the price in Dirhams (a dirham of silver equals 2.975 grams of silver) and I sell for Dirhams but receive the price in Dinars. The Prophet (peace be upon him) said: There is no harm provided that when you take the price, it corresponds to the day's market price and there are no outstanding accounts between the both of you.)

However, if this man gives you the Dinars before he travels by way of exchanging French currency which he will receive after he travels, this is impermissible because he will then be paid in the same sitting as the contract. What you have previously done with regards to contravening the Shari`ah (Islamic law), you are not blameworthy for it and it does not factor into the validity of your Prayers or any other act of worship due to the words of Allah (Glorified and Exalted be He): (So whosoever receives an admonition from his Lord and stops eating Ribâ (usury) shall not be punished for the past; his case is for Allâh (to judge))

It is a duty upon a Muslim to offer Tawbah (repentance to Allah) to Allah for being negligent and to think well of Allah since sincere Tawbah is sufficient to wipe away the sins of those who sincerely direct their acts of worship to Allah alone.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. (20468)

Q: This incident occurred when I went to buy gold. When I sold used gold

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to a gold shop, its value was estimated. When I was buying gold I requested that the price of my used gold be deducted from the price of my purchase and that I pay the remaining sum. During my discourse, a fellow standing next to me told me this is Riba (usury) and that I should take the money from my sale and then give the price of my purchase by adding the difference. From this, I concluded that there is a form of Riba that I, as well as others, are not aware of. I hope that Your Eminence would clarify this matter since the only form of Riba known to many people is taking a loan and returning it with an increase in price (the value of the original loan + an additional sum).

A: You may sell the used gold which you want to exchange for new and receive its price on the spot and then make your purchase from the same store or another and pay the price on the spot such that you do not part while there are any outstanding accounts between the both of you.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. (20790)

Q2: Is it permissible to buy gold with money that is minted in all countries on installments like other items or is it necessary to pay on the spot without deferring payment? What is the evidence for this, whatever the ruling is? People buy their jewelry from shops on installments

without there being an exchange of the purchased item for its price.

A2: It is impermissible to sell gold for money even though it is not of the same nature except if you pay on the spot. This is due to the words of the Prophet (peace be upon him) on the things which include Riba (usury) where he said: ﴾If these classes differ, sell as you wish if payment is made hand to hand.﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

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Savings Systems

Fatwa no. (21201)

Q: Our respected Shaykh! There is no doubt that Your Eminence is aware that some companies such as Sabek and Aramco in Saudi Arabia offer savings system which may be the same as or different from other companies in certain points. However, the Saudi Company for Iron and Steel where we work at the industrial city of Al-Jubayl, offer savings system for which the Permanent Committee for Research and Ifta` presided by His Eminence Shaykh `Abdul-`Aziz ibn `Abdullah ibn Baz, may Allah have mercy on him, issued a Fatwa maintaining its impermissibility. However, the company later issued a new savings system on 11/6/1420 A.H. Attached is a description of this system. This new system has left us, the employees, to wonder about its permissibility, the terms of which have been modified by the company. We request that you study it and issue a fatwa on it. May Allah reward you!

A: It is impermissible to participate in the above mentioned savings system because it includes unlawful Riba (usury) in the form of interest based loans as is evident from provision no. 6/b.

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It is obligatory to refrain from this type of transaction and to obey Allah (Exalted be He) and His Messenger (peace be upon him).

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21244

Q: Post offices (in Arab countries) offer a saving system known as savings accounts and it is as follows: A person deposits a sum of money, whatever the amount, in postal savings and receives a quarterly interest for that amount. This interest is guaranteed at a fixed rate of 10 %, taking into account that the post office does not give out loans, whether interest-based or not.

A draw is held every three months and the winner receives 10,000 SR regardless of the amount deposited in one's account.

My question is: Is it permissible to open a postal savings account? And if I win the draw, is it permissible for me to take the prize?

A: It is impermissible to open a postal savings account as described in the question. This is because it is from among the the forms of Riba (usury) prohibited by the Quran, Sunnah (acts, sayings or approvals of the Prophet) and the Ijma` (consensus of scholars). Any prizes based on these accounts or others are likewise prohibited because what is based on something prohibited is itself prohibited.

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May Allah grant us success and may Allah's Peace and Blessings be upon our Prophet, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21360

Q: I request the legal opinion of your Eminence (may Allah safeguard you) on the savings systems offered by the National Cooperative Insurance Company in Riyadh, so that you guide me and other Muslim youth. Attached are the complete details of this system. Please accept my sincere appreciation.

A: After the Committee for Inquiry and Fatwa examined this saving system, it maintained the impermissibility of depositing money in the mentioned manner because it involves Riba (usury) that is prohibited by both the Quran and Sunnah (acts, sayings or approvals of the Prophet). This is due to the amount added to the original sum by the company, which is considered a usurious increase, according to what is stated in Article no. 10 of this savings system and in provision no. 7 of the executive regulations. Moreover, this system includes a Fasid (Corrupt) condition which is the company's guarantee of the principal capital of each member which they invested as stated in provision no. 5/9 of the executive

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regulations.

This is because the investor bears any losses in this Mudarabah (speculation)

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while partnership is only in the profits.

May Allah grant us success and may Allah's Peace and Blessings be upon our Prophet, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20957

Q: We live in Austria where the government allows us to borrow sums of money to assist start-up companies. We collect the money from a bank that charges us 1 % for postal, telephone, fax and other services. This sum which the bank charges us has nothing to do with the government loan. For instance, if we receive $ 1000 which we will pay back in the same amount in addition to 1 % for postal, fax and telephone services and so forth and which

the bank will take in return for these services.

The question is: Is this additional amount which the bank will take considered Riba (usury)? May Allah reward you with the best!

A: This percentage which the bank will take is Riba because it is, in fact, a return of the original loan along with a known increase. This involves both Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment), both of which are prohibited and thus you must avoid any transactions involving them.

May Allah grant us success and may Allah's Peace and Blessings be upon our Prophet, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The first question of Fatwa no. 20420

Q1: I am enlisted in the National Guards of the Aarmed Forces and I receive my salary via al-Rajhi Banking Corporation. Is it permissible for me to transfer my salary to one of the other banks which give interest-based loans. This is because I when I take a certain sum as a loan from one of these banks, 100, 000 SR for instance, the bank gives me this sum on condition that I transfer my salary to this bank and it then deducts a monthly sum from my salary until the loan is paid off. However, the total sum which I will return to the bank is not 100,000SR, but

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an interest is added to it, i.e. it becomes 110,000 SR.

Is this transaction permissible? Please give me a Fatwa, may Allah safeguard you and guide you to that which is good. As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: It is obvious that this transaction among the forms of Riba (usury) which are prohibited by the Quran, Sunnah (acts, sayings or approvals of the Prophet) and Ijma` (consensus of scholars) and therefore it is impermissible to deal in it. You must not get involved in any dealings involving Riba and you must also be cautious of what Allah has prohibited out of obedience to Allah and His Messenger (peace be upon him).

May Allah grant us success and may Allah's Peace and Blessings be upon our Prophet, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 20837

Q: What is the ruling on that banks that take a commission of 1.99-2.99 % in return for cashing an employee's salary?

A: This is not permissible and is considered Riba (usury/interest), because it is selling a sum of money for a larger sum of money. Therefore, it is obligatory to abandon these prohibited transactions to avoid sinning and to safeguard one's earnings from being Haram (prohibited).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

(Part No. 11; Page No. 106)

The first question of Fatwa no. 20903

Q1: I entered into a partnership with another man to buy a taxi. After a year, I learned that it was impermissible for me to have entered into partnership with this man because he took out an interest-based loan from a bank to complete the price of the car. I wanted to withdraw from the partnership and we put the car up for sale. When a buyer came along and learned of this, he decreased its price by employing Najsh (an illegal transaction in which the buyer is ensnared by artificial outbidding of a fake buyer) to the extent that he greatly decreased its price which was 8,000 LE. Meanwhile, my partner asked for one or two months respite during which he can either sell the car without any losses or finds another partner.

My question is: Is my share in the profits which the car accrued during this period Halal (lawful) or Haram (prohibited)?

A: It is Halal because it is the profit accrued through your share in the car. But you must withdraw from this partnership which accrues Haram earnings.

May Allah grant us success and may Allah's Peace and Blessings be upon our Prophet, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20584

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets.

(Part No. 11; Page No. 107)

The Permanent Committee for Scholarly Research and Ifta' has examined the fatwa request submitted to His Eminence, the Grand Mufti by His Excellence Shaykh Salah ibn Muhammad Al-Budair, the judge in the Greater Shari`a Court of Dammam, no. 4705, dated 12/8/1419 A.H. Attached is the fatwa request that is submitted by some person and that is referred to the Committee by the Secretariat General of the Council of Senior Scholars, no. 5186, dated 18/8/1419 A.H., which reads:

Allah (Exalted be He) stated: ﴾O you who believe! Be afraid of Allâh and give up what remains (due to you) from Ribâ (usury) (from now onward), if you are (really) believers.﴿ There is also a Hadith related by Muslim that reads: ﴾Avoid the Seven Destructive Sins.﴿ The Hadith mentions consuming Riba (usury) as one of these sins. There is also a Hadith related by Abu Dawud stating: ﴾Allah has cursed the consumer of Riba, its payer, one who records it, and the two witnesses to it.﴿ .

The question is: I am an official in the Department of Personnel Administration in a public sector. Salaries of employees in this sector are sent to a checking account in a national bank. We were given orders by higher authorities that if an employee in the administration applies to this bank for a personal loan,

(Part No. 11; Page No. 108)

the Personnel Administration (responsible for paying out salaries) hands the beneficiary (the borrower) a letter signed by the Personnel manager addressed to the bank (lender) to the effect that the administration has no objection in this regard pursuant to the agreement held with the bank. Thus, the administration transfers the beneficiary's salary to the bank so as to deduct the loan installments during the period designated for repayment. It is no secret that all loans given by such banks are interest-bearing loans. We ask Allah the Most High, the Exalted to guard you and us against committing sins. Our question is: Are we as sinful as them for signing the letters? Is doing so considered of those who record Riba accursed in the Hadith quoted above? Please, be informed that I, as an official, advise everyone not to do so as it is prohibited, but it is all in vain. I hope that Your Eminence will answer my question.

Having examined the fatwa request, the Committee gave the answer that doing so is impermissible as it entails a usurious transaction and involve cooperation to indulgence in it. Undoubtedly, Allah has prohibited all types of Riba and seriously warned those who deal in it. Riba includes interest-bearing loans, whether borrowed from a bank or otherwise. Furthermore, the Prophet (peace be upon him) cursed the consumer of Riba, its payer, one who records it, and the two witnesses to it. In a broader sense, the Prophet (peace be upon him) cursed those who deal in Riba as well as those who serve as helping factors therein. Allah (Exalted be He) says:

﴾but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.﴿ Therefore, it is obligatory on all of you to beware of committing acts forbidden by Allah, advise each other (against it), and notify senior officials about those who do not accept the advice and who continue dealing in usurious transactions, so that they may be deterred.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 20593

Q: I sold some merchandise to a merchant on 120-day credit plan in which the bank guarantees repayment on the date of maturity. Before the date of maturity, a debt I owed to others became payable and I did not have enough money to pay it off. I became so confused as my creditors urgently demanded their dues. Therefore, I asked the bank to pay me the debt of the abovementioned merchant it guaranteed in advance. However, the bank insisted on paying me on the date of maturity or that it deducts 2 % for each month it pays in advance.

I have no other way out. Is it permissible to arrange that the bank pays me provided that it deducts a certain percentage for each month in advance? Give us a Fatwa, may Allah reward you!

A: It is impermissible to do so as it entails an obvious Riba (usury). This is because the bank in this case will get back the entire amount it guaranteed from the person indebted to you, which is more than what it gives you. In fact, doing so involves both Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). Therefore, it is impermissible because Allah prohibited Riba and seriously threatened those who indulge in it of a grave punishment. Moreover, the Prophet (peace be upon him) cursed the accepter of Riba, its payer, the one who records it and the two who witness it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21762

Q: What is the ruling on the following text of the contract:

"I confirm my indebtedness to the Saudi Credit and Saving Bank of the social loan valued ..... I pledge to pay the sum in equal installments in the amount of .... as of ...., taking into consideration that I am committed to pay 10 KD as a penalty for late payment, in case I delay payment of one of the installments. I received a warning by a process server. Also, I am committed to pay 20 MD if the warning is repeated. Moreover,

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loan balance and penalties will be due if I delay payment of three successive monthly installments or breach the lending conditions according to the regulations of the bank."

The question is: What is the ruling on the mentioned contract? What is the ruling on the one who is involved in it before knowing the ruling, and how can he be discharged? May Allah safeguard you.

A: Stipulating the payment of an extra money to the loan is regarded as absolute Riba (usury), according to the Prophet (peace be upon him), who said: (Every loan followed by profit is Riba) Scholars have unanimously agreed to this. If the debtor pays the amount late this does not mean he should pay extra money.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20666

Q: Muhammad bought a car for 10,000 pounds. He paid 8000 pounds and promised to pay the remaining sum (2000 pounds) after thirty days. Then, he sold the car for a price higher than the purchase price on condition that the money will be delivered to him a year later. When the thirty days elapsed, he had no money to pay the two thousand pounds. Therefore, he asked Khalid to lend him two thousand pounds and promised to give him a share of the profit of the car which he sold.

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Is that Islamically lawful or does it fall under the category of Riba (interest)?

A: The transaction referred to above is unlawful because it falls under the category of a loan which is conducive to profit, knowing that such is Riba. The person who will lend you this money will receive it along with an interest rate, which is Haram (prohibited).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 20604

Q: We work at the governmental institution of social solidarity. This institution grants financial loans to its employees provided that the loan is used in building a house or buying a piece of land to be used for establishing a building thereon. The institution grants huge loans for which it charges interest rates. It classifies this transaction as lawful Murabahah sale (sale with an agreed profit margin). I hope that Your Eminence will kindly clarify the Islamic ruling regarding these loans.

A: If the institution receives profits for the loans which it grants to its employees or others, these loans will be considered as prohibited. This is because any loan which is conducive to profit is considered Riba (usury), even though people may give it another name.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21286

Q: People have become accustomed to buying things from banks on installment plans in return for an interest that is added to the original price. It is to be noted that the bank does not possess the purchased commodity, like a car or a building. The process takes place by the buyers asking the bank to buy commodities for them from their rightful owners. At that point, the bank pays the prices of the commodities in cash and delivers them to the buyers, who pay the price on an installment plan. A contract of sale is signed between the bank and the buyer. It is only after the buyers sign their acceptance to meet the required conditions that the bank delivers the commodities to them.

The question is: Is this type of sale lawful? As far as we know, it is unlawful for a person to sell something which they do not possess, which is not the case with the issue under discussion. The bank does not possess the car or the building; rather, it purchases them for the buyers upon their request to buy it. Those who deem such type of sale permissible argue that the purchases are not binding on the buyers in case they decline to conclude them. However, they are aware of the fact that the buyers really intend to buy them, otherwise they would not have bought them.

The second question is: The bank makes a provision that if the buyer declines to buy the commodity, they will be obligated to pay for the damage which the bank suffers as a result of his decline.

Is that provision permissible? The bank claims to have a Fatwa (legal opinion issued by a qualified Muslim scholar) supporting the lawfulness of similar transactions. Is that Fatwa considered valid or is it an act of fraud? This type of transaction falls under the category of exchanging cash for cash with an additional interest. The commodity, whether it is a car or a building, is used as a deceptive means to legitimize Riba (interest). May Allah reward you for issuing your Fatwa in this regard. Such transactions are spreading like wildfire.

A: The transaction mentioned above is unlawful because it falls under the category of taking loans on the condition of adding an interest to them upon repay. This form of transaction involves the element of deceit that leads to Riba, which has been declared prohibited by the Qur'an, the Sunnah (whatever reported from the Prophet) and Ijma` (consensus of scholars). Moreover, the bank sells the commodity before it comes into its possession, which is also prohibited. The Messenger (peace be upon him) said: ﴾Do not sell what you do not possess﴿ Accordingly, these transactions must not be relinquished in obedience to Allah (Exalted be He) and His Messenger (peace be upon him).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20838

Q: There is a bank that buys me everything I ask for, furniture, a plot of land, a car, etc., on the condition that I be an employee and that I transfer my salary to the bank for (5) five years as a guarantee for its money. For example, I go to the bank and say: 'I want to buy a car.' It says: 'Go

to the company or car exhibition where the car you wish to buy is sold, and bring an official document stating the value of the car from the exhibition or the company.' When I do this, the bank gives me a check of the said value in the name of that company or exhibition, together with a paper with the statement: 'Give the car to the bearer of this check.'

If the price of the car, for example, is (100,000 Riyals) one hundred thousand Riyals, the bank adds 7 % per year for (5) five years in return for the sale being on credit. Accordingly, the value of the car as written in the official documents preserved by the bank becomes 135,000 (one hundred thirty five thousand) Riyals. Another example is, if I want to buy a plot of land, the bank requires me to bring a document from the real estate office indicating the value of the plot; then it pays me a check of the said sum plus 7 % interest for selling it to me on credit for five years. So, if the price of the land is one hundred thousand Riyals, I will owe the bank 135,000 (one hundred thirty five thousand) Riyals. Is this sale a type of Salam sale (sale with advance payment), as the bank guarantees its right in advance for five years, because I am an employee and it has taken documents and guarantees that my salary will be automatically transferred to it, so that it discounts the installment due to it from the salary and leaves the balance for me? Is this sale lawful from the viewpoint of the Shari`ah or not?

A: It is not lawful to carry out the dealing mentioned above, because it is - in fact - a loan

with conditioned interest to be paid when paying off the loan. The scenario mentioned is no more than a trick. So, it is a usurious dealing that is prohibited according to Allah's Book, the Sunnah, and Ijma` (consensus of scholars). In addition, the bank thus sells the said car or plot of land before it possesses them, while Allah's Messenger (peace be upon him) said: ﴾Do not sell what you do not possess.﴿ Accordingly, you have to give up this deal out of obedience to Allah and His Messenger (peace be upon him). [Allah says:] ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine.﴿ .

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The first question of Fatwa no. 20872

Q 1: A man bought a car from another man as a cash sale, but the buyer did not have the value. Both the seller and buyer went to a company to pay the value fully on behalf of the buyer, and the latter will pay the same in installments to the company in addition to an increase. For instance, if the value of the car is (50,000), the company will pay it to the seller and register (70,000) to be paid by the buyer in installments. What is the legal ruling on this. May Allah reward you.

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A: This transaction is not lawful, because it means that the company has lent the price at an interest to the buyer. This is outright Riba (usury) that is prohibited according to Allah's Book, the Sunnah, and Ijma` (consensus of scholars); it belongs to the type of Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20427

Q: The questioner has posed the following question: Answering your kind request according to your letter no. 779/2, dated 07/02/1419 A. H., I attach to this letter the memorandum of association and the articles of association of the company as you required, drawing your attention to articles no. 17 and 46, in addition to a photocopy of the relative article of the Saudi Companies Law.

Here, I would like to pose another question in addition to my previous question sent to you in letter no. (1206 Sheen, Qaf/ 98) on 09/01/1419 A. H., namely this company has correspondent usurious banks outside the Kingdom to facilitate the interests of the clients of the company when transferring money to their countries. The system followed by the other banks is that the correspondent bank pays the transfer value on behalf of the local bank, then it collects the same amount from the local bank,

in addition to a usurious interest. As the company (posing this question) is earnestly interested in having its dealings be free of Riba (usury) and in avoiding payment of such interests, it deposits beforehand sums of money in the correspondent banks before transferring money to them. In this way we avoid paying the usurious interest to them; but in this case, they pay us a usurious interest [of the money deposited]. We put the interest aside and do not add them to the profits of the company, as we spend it in charity. The question here is: Is it permissible for the company to use such interests in paying the debts of insolvent persons who cannot repay the money due on them to the company as acquittance for them, if it is proven that they are really insolvent and the company is fully certain of their inability to repay? Is it also lawful to do the same with regard to the persons who died while owing money to the company and whose heirs cannot pay these debts, or who only left their heirs the houses they are dwelling in? Please give us a Fatwa on this question. May Allah reward you. May Allah prolong the life of Your Eminence, and bless it. For, He is the best to be supplicated.

A: It is not lawful to spend usurious interests in paying off the debts of insolvent persons or others, who are in debt to the company.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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(Part No. 11; Page No. 119)

The first question of Fatwa no. 20628

Q1: A man got married and borrowed 40,000 Riyals from someone else on condition that he will pay 60,000 Riyals in installments, (2000 Riyals) per month, in return for it. Is this considered Riba (usury), noting that it is postponed and is to be paid in installments. When the installments he pays reach 40,000 Riyals, what should he do? Should he refuse to pay the interest? Or, should he pay something else against the balance? It is to be noted that there is a bond about this.

A: The example mentioned in the question is a form of Riba (usury), because it is an interest-based loan, which is outright Riba. Allah (Glorified be He) has forbidden Riba, and threatened the usurer with severe punishment. Allah's Messenger (peace be upon him) also cursed the consumer of Riba (i.e., the usurer), the person who borrows the loan on interest, those who witness usury, and the person writing down the bond of usury. So, the person who borrowed the loan mentioned in the question is required to pay off to the borrower the exact loan without any increase, so that he does not help the borrower to consume riba and consequently become his partner in such sin. He is also to advise the borrower to repent to Allah (Exalted be He) for consuming Riba, not to do this sinful act any more, and to accept his capital sum without interest. The borrower should also fear Allah, his Lord, and avoid committing what Allah (Exalted be He) and His Messenger (peace be upon him) have forbidden. Allah (Exalted be He) says: ﴾but if you repent, you shall have your capital sums. Deal not unjustly (by asking more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums).﴿ ﴾And if the debtor is in a hard time (has no money), then grant him time till it is easy for him to repay﴿

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 20565

Q 1: Banks have investment funds, which are liable to either profit or loss. Besides, there are no specific or conditional rates of profit in them; neither from me (investor) nor from the bank. They are commercial funds in which I may gain profits and I may also lose. So, is it lawful for me to invest in them instead of letting the bank make use of them through our money deposited with it?

A: Invest your money lawfully in fields other than banks, because mostly banks do not avoid usurious dealings, nor do they tell the truth when they claim that their investments are lawful in the viewpoint of Shari`ah. The criterion to be considered here is the attitude they mostly adopt in their dealings. So, they are not to be trusted in this concern.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 20290

Q: I hope you will inform me of the legal opinion concerning 100 sheep, which I bought from someone, and which we agreed that I would give him two sheep for each sheep after twenty years. I hope

you will tell me the legal opinion concerning this matter, whether it is Halal (lawful) or Haram (prohibited)? May Allah safeguard you.

A: There is no objection concerning selling an animal in return for another animal whether on an equal or unequal basis and whether it is on the spot or delayed. This is on the condition that the number and description of the animals that will be delivered later be known, as well as the deadline for repay. This is because the Prophet (peace be upon him) ordered `Abdullah ibn `Amr (may Allah be pleased with him and his father) to buy camels for the fighters (in the Cause of Allah) and to pay its price when the camels that were intended for Sadaqah (Zakah or obligatory charity) came. Thus, he bought two or three camels in return for one. (Related by Imam Ahmad and others through authentic Isnad [chain of narrators])

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The third question of Fatwa no. 20940

Q 3: Is grain, such as wheat and barley, that is sold on credit for a period of a month regarded as Riba (usury)?

A: If wheat and barley are sold in return for an equivalent of their very genus, they should be equal in quantity, and the exchange should take place in the same session. If they are not sold in return for an equivalent of the same genus - as when wheat is sold in return for barley or corn -, inequality is permitted, and the exchange should take place in the same session. If they are sold in return for money, either the price or the sold item is permitted to be delayed on condition that either of them should be collected in the same session.

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21273

Q: A person receives information from the company in which he or one of his relatives works - as a chairman, a member in the company board of directors, a general manager, a financial manager, a secretary or any other job, through which he has the right of access to internal information before it becomes available for the public. It is known that the salary of employees is limited, and that trade forms nine-tenths of people's sustenance. Moreover, any responsible employee in any company follows up the prices of its shares in the market and carries on trade to secure his children's future. Suppose that he knew a piece of information (before it was announced), such as the company profits in that year will be double the last year profits, or that the total losses will consume most of the capital, or that the company won a lawsuit in return for hundreds of millions (of course, the company net profit and the price of its shares in the market will increase). Then, he sold or bought shares, making use of this information, which he knew because of his position in the company or through a person who shares the benefit with him, or who is his

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relative or partner in trade. Is the profit in this case Halal (lawful) or Haram (prohibited)? If it is Haram, and the person is a professional in this type of work and has partners or cooperators, along with whom he has made a big fortune, what should he do with this money, even though he did not know that such practice is Haram? This is because some people regard it as permissible profit, on the grounds that it is in return for the effort of gaining the piece of information. However, others condemn it, regarding it as Talaqqi Al-Rukban sale (purchase by intermediary from a supplier before the latter reaches the market place at a far lower price, taking advantage of his ignorance of true prices; in this case, the price may will be less than that of the market). Thus, they regard it as Haram, and that one should get rid of all its profits. By the way, the laws in foreign countries consider these transactions as Batil (null and void) and a major crime, and the person who commits this crime is prosecuted in constitutional courts. Its penalty can extend to lifelong imprisonment, as it is a crime against the society as well as cheating and injustice that leads to the destruction of the markets and national economy. I want to know the ruling given in the honorable Shari`ah (Islamic law) on this issue. May Allah grant you success and safeguard you.

A: First: If the shares are fixed, and are intended to procure a yield, such as those of a factory that produces and sells its products - like the shares of cement, electricity, transportation or agricultural companies or other fixed (established) companies, in which the profit, not the capital, goes to the shareholder, there is no objection in selling and buying this kind of shares. As for unfixed shares

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such as those related to commercial speculation companies, the shareholder's capital and share of profit return to him if the company is dissolved. Sometimes, the capital or part of it may be lost, or it may return to the shareholder. Thus, such kind of shares should not be sold or bought because it is

unknown selling that includes risk. Moreover, it includes the selling of a dirham in return for an absent (nonexistent) dirham. Thus, it is Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment), and it may become Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess), if the amount differs, and both kinds of Riba and selling of the unknown are Haram.

Second: If the company prevents its employees from buying some of its shares and seeing into its secrets, the employees should not breach its regulations. This is according to what the Prophet (peace be upon him) said: (Muslims are bound by their conditions, except the one that makes the unlawful lawful or the lawful unlawful.) This condition involves consideration of the company interest and warding off harm from it. Thus, it is a sound condition.

Third: The money you earned through this kind of transaction is Haram; and you should get rid of it by donating it to a public charitable project, or to the poor and needy, with the intention of getting rid of it; not the intention of Sadaqah (voluntary charity). This should be accompanied by repentance to Allah (Exalted be He) and the intention not to return to this kind of transactions again.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	\`Abdullah ibn Ghudayyan	\`Abdul-\`Aziz ibn \`Abdullah Al Al-Shaykh

Fatwa no. 21465

Q: Please inform me whether it is permissible to buy stocks from a company in cash and sell them to another person for a higher price that is to be paid to me in installments over a period of a year, knowing that the buyer will sell the stocks after receiving them from me for a price that is less than that upon which we agreed.

A: There is no problem with buying or selling stocks as long as the companies that are dealt with do not use Riba (interest), and that they are ownership companies, such as architectural, agricultural or production companies. It is also permissible for the person who buys these stocks to sell them or deal in them without restrictions.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

(Part No. 11; Page No. 126)

Salam sale

The second question of Fatwa no. 20582

Q 2: We make a contract with some companies and firms upon importing goods to them after a specified period; two months or more. These goods are accurately described and determined, but they are not under our ownership at the time the contract is concluded. After signing the contract, we import the goods from places where they are available. What is the ruling on the following cases:

1- If we do not get any money at the time of concluding the contract.

2- If we get part of the money, knowing that it is customary that the sum of money is not completely paid at the time the contract is concluded.

3- If we receive the entire sum while making the contract.

What is the ruling in these cases if the contract is concluded as `Aqd Istisna` (a contract to have something made or done)?

A: Selling goods that are predetermined by specified descriptions on credit is a type of Salam sale (sale with advance payment) which is Mashru` (Islamically permissible), on condition that the price is completely paid in the meeting during which the contract is concluded, because if the whole price is not paid, this will be a form of selling a debt for another, which is Haram (prohibited) by Ijma` (consensus of scholars).

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21761

Q: Someone borrowed a sum of 25,000 SR from me in return for buying me a specific car (a certain model and options) after one year. However, this person became bankrupt, and many years passed and he could not pay his debt because of his poverty, so his brothers repaid the money instead of him.

My question is: Is this considered Riba (usury), or does it contain any other doubtful matter? Is this deal permissible? Please support the answer with evidence. May Allah reward you.

A: There is no problem about getting your money back, and abdicating the Salam sale (sale with advance payment) of the car, that is, to exempt the borrower, or any person who repays the money instead of him, from buying the car, and there is no Riba involved in that.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21875

Q: I have a question and I thankfully wish your eminence would

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provide me with an answer.

1- I want to represent a company by being its agent in the Kingdom and by presenting a sample of its products. If the customer wishes to buy any of the company's products, I will send it a message to get the price list and the time that the order will take to be delivered. I will take 30 % of the order value from the customer and the rest when the order is actually delivered. Is this a Shar`y (Islamically lawful) transaction?

2- Sometimes a government authority or a specific company submits a tender to secure some stationary or electric tools or any other needs. I present an offer with a price for such demands, knowing that I only possess some of them. I go to merchants to give me prices for such commodities because they are their importers and I add a slight percentage over the prices that I get. If they ask me to bring the commodities, I go and buy them from the market. Is that permissible in Shari`ah (Islamic law) or is it considered as selling what I do not possess? Please advise, may Allah reward you.

A: What you mentioned in both questions is considered a Salam sale (sale with advance payment). So, if the commodities are specified via description and its total value is handed over in the same session, and the date of its delivery is known, the contract will be valid. However,

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if part of the price, not the total price, is handed over in the same session of concluding the contract, then the contract will be invalid because it is selling a debt for a debt.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The loan

The second question of Fatwa no. 21236

Q 2: With regard to partnership in Islam, there is something called Mudarabah partnership (speculative partnership, giving an amount of money to trade with in return for a share in the profit). What is the difference between loan and Mudarabah?

A 2: The loan is to give someone money to use it and return it later.

As for Mudarabah, it is to give someone a certain amount of money to trade with it in return for part of the profit. So, the first (partner) offers money while the second offers labor.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20159

Q: All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' reviewed what His Eminence Grand Mufti received from the administrator of Scientific Institute in the governorate of Rijal Alma` and the Da`wah (calling to Islam) deputy there; Hussayn ibn Ibrahim ibn Muhammad Ya`qub, under number

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(1/9) and date (2/1/1419 A.H.). Attached to it is a Fatwa request submitted by Ibrahim ibn Ahmad Tawil and referred to the Committee by the Secretariat General of the Council of Senior Scholars, under number (392) and dated 10/1/1419 A.H. The Fatwa request reads:

I have seventy thousand Riyals, and I asked three sons that one of them take that sum of money to invest it in trade on condition that he would keep the capital (the seventy thousand Riyals) for me and return it whenever I ask for it. One of them, the oldest who was workless, agreed to that offer and his two brothers approved of and were pleased with it. My son actually took the money and invested it in trade and Allah provided him with good sustenance. Out of dutifulness, my son gives me some money at separate intervals until that sum has reached eleven thousand Riyals, which is part of his profit over eight years.

My question is: Is it permissible for me to take that sum of money (the eleven thousand Riyals), which is part of his profit, from my son in addition to the capital I have given him to invest and benefit from its profits? When I die, will the heirs be entitled to a share of the profits or to the capital only?

Reviewing the Fatwa request, the Committee replied that the opinion that seems correct is that this kind of transaction is called by Fuqaha' (Muslim jurists) as Mudarabah (giving an amount of money to trade with in return for a share in the profit). So, if the owner of the money tells another: Take

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this money and use it in trade and all its profit will be yours and the capital is mine, then this is a loan and the owner is not entitled to anything of its profit. Accordingly, all the profits that your son made are his and you are not entitled to anything more than your capital, whether you take it yourself or your heirs after your death. However, if your son gives you a share of the profits as a gift for you and not because he is benefitting from the money or because he delayed its payment, or if he gives you what he is used to give you before that loan, it is permissible for you to take it and nothing is wrong with that. Nonetheless, if you asked him to give you a share of the profits because he is benefitting from the money you gave him or because he has kept the capital with him for a long time, then this would be prohibited and it is impermissible for you to take it. For, in that case it would be considered as a loan that brought about benefit, which is clearly Riba (usury). There is nothing wrong if you give your son that money in the form of a Mudarabah transaction in such a way that he will be entitled to

a specific share of the profit, like a quarter, a half, three quarters or the like, and the rest of the profit will be yours, as this is called the Mudarabah partnership.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 20359

Q: Many of those who seek to earn their living buy the yields of palm trees and bring them to the markets to sell them. They search for dates brokers

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to lend them the price or part of the price of such yields on condition that they would bring the broker the yields, which the latter would sell in an auction and get 10 % of its value as a brokerage. The brokers lend those persons money to guarantee that they would bring them the yields. In this case, this is considered a loan that brings about benefit, knowing that this percentage (the 10 %) is taken from all the peasants, whether they are major farm owners or small buyers of the yields.

A: This kind of transaction is impermissible because it includes a loan that brings about benefit, which is Riba (usury). Hence, it is obligatory for you to abandon such a transaction and to adhere only to what Allah has made permissible. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21080

Q: My mother (may Allah be merciful to her) gave me a sum of money estimated at five thousand Riyals as a form of aid for me. I told her that I would return that sum if my financial conditions improved and she agreed. However, she died before I could return that money to her. Is that money, which I took from her, considered a debt that I should pay back or a gift from her, or should I donate it?

(Part No. 11; Page No. 134)

A: This sum of money should be paid back to the heirs because your mother died before you could pay it to her. Hence, it was still hers before her death and now it belongs to the heirs after her death.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20743

Q: I have mobile phones and when someone wants to buy one of them, he asks me for the following:

1- A mobile phone.

2- A SIM card, knowing that it is issued in the requester's name and the seller manages the issuing of it in the buyer's name. The seller pays the phone's price (3500 Riyals) and gives with the SIM card the phone for a total of monthly installments estimated at (5000 to 5500 Riyals).

Please guide me to the right way, may Allah reward you, and if this implies anything wrong, then what shall I do concerning the previous dealings that I have concluded in this way?

A: The kind of transaction mentioned is impermissible because it includes a loan that brings about benefit, since you lend someone the SIM card fees

to make him buy the mobile phone from you. And since every loan that brings about benefit is Riba (usury), you have to abandon this kind of dealing and repent sincerely to Allah and never do that again.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21006

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' reviewed the question received by His Eminence Grand Mufti from the owner of King Saud Civil Schools for boys in Zhahran via the Da`wah and Guidance Center in Dammam, which is referred to the Committee by the Secretariat General of the Council of Senior Scholars under the number (3066) and dated 4/6/1420 A.H. The questioner asks:

The schools were inaugurated eight years ago. Now, the secondary stage needs expansion, which will cost about one million Riyals. However, that sum is not available in cash. Those who will carry out the expansion, repairs and preparation are ready to do it on condition that the mentioned costs be paid in installments over five years.

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However, the total that is going to be paid will be more than the mentioned sum.

Is that permissible? Please advise and may Allah protect and preserve you.

After examining the issue in question, the Committee replied that if the case is as mentioned, then the contract in question, which states that you should pay the construction costs that are delayed for a specific term along with an excess over the costs that would be paid in cash, is permissible because nothing in Shari`ah (Islamic law) prevents it. Nonetheless, if those people were lending you the mentioned sum of money and taking it back with excess, then this would be impermissible because it would be a loan that brought about benefit.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21001

Q: I submitted a construction loan request to the Real Estate Fund in 1409 A.H. As there was a delay in the reply, I asked for the permission of the Real Estate Fund to start the construction of my private house on my own and they permitted me. I finished the construction, praise be to Allah. A year later, however, I received a reply to my previous loan request and they sent me a letter informing me that my loan request has been approved and asked me to go there to sign the contract and take the first payment. I informed them that I had already finished the construction and they replied that the system approves giving the loan even in that case.

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My question is whether it is permissible for me to take that loan and repay it to the Fund to take advantage of the exemption (90 000 Riyals) that is granted to whoever repays the loan in one payment. I hope that your eminence would advise me regarding this issue, which occurs to some of those who submit similar requests to the Real Estate Fund.

A: If the case is as mentioned, there will be nothing wrong if you take the loan in question because it is your right according to the country system, even if you have finished the construction process especially that the bank is aware of that and permitted it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The first question of Fatwa no. 21502

Q 1: I am an old woman and there is a problem that concerns me a lot and I fear that I will die and be held guilty for it, which can be summed up as follows:

Years ago, I bought a piece of land at (59.000 Riyals). I took a loan from the Real Estate Fund and I built a house and an extension

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on the mentioned land, praise be to Allah.

I lived there with my three sons, `Ali, `Abdur-Rahman and Muhammad. `Abdur-Rahman and Muhammad paid some of the installments and then stopped. Sometime later, my middle son `Abdur-Rahman went to live in a house of his own, while I and Muhammad and `Ali, who does not work, remained in the house. My question is:

If my youngest son, Muhammad agreed to pay the due installments to the Real Estate Bank and wrote that down in the Bank and his brothers permitted this, does the house become his and am I then free from liability?

A: The debt of the bank will remain as your liability until you repay it and the fact that some of your children or others are ready to repay that loan does not free you from liability. Selling the house to your son, if the bank permitted that, giving it to him for a fair price representing the remaining amount is permissible. However, you will remain responsible for the debt until you repay it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20645

Q: I bought a piece of land eight years ago and I submitted a

loan request on that land to the Real Estate Credit Bank. I then sold the land this year at a time when I was about to receive the loan. Is it permissible for me to give up the loan, as the system allows that and since the buyer offered to take (250.000 Riyals) of that loan and give me (50.000 Riyals) and he would repay the entire sum to the bank which is (300.000 Riyals) throughout the course of twenty-five years. The sum of money that I would get will be in return for giving up the loan and for the eight years I waited to get that loan, and not in return for the cash that the bank pays. If this is impermissible, then what is the Shar`y (Islamically lawful) form if I want to receive compensation for giving up the loan and for the eight years I have been waiting for it; knowing that if I submitted another loan request to the bank, I would have to wait the same period of time or even longer, whereas that person will wait only until that concession is approved?

A: It is impermissible for you to give up the loan that the Real Estate Fund granted you to someone else in return for a sum of money. However, without that return, it is permissible according to the rules of the Fund.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

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Mortgage

Fatwa no. 20456

Q: I have a company which sells electrical appliances on installments secured by mortgages about which Allah (may He be Exalted) states: (And if you are on a journey and cannot find a scribe, then let there be a pledge taken (mortgaging)) **The customer comes in to buy electrical appliances from me at a certain price and I ask for a quantity of gold as a mortgage that is equal in value, or a bit less, to remain with me as a trust until they complete the installments according to the predefined period on which we agree. When the customer pays all the installments as agreed, I return their property in full as I took it; knowing that I weigh the gold and determine its type and value on the day the sale is concluded. Is what I do the Shar`y (Islamically lawful) manner of mortgaging? If I agree with the customer to sell the mortgaged item in case the due installments, or some of them, are not paid, am I entitled to sell it without their knowledge or must I inform them**

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that if they do not pay, I will sell it? Please give us advice on that issue.

A: Your requesting the customer, who buys a commodity from you on installments, to mortgage with you in return for that debt gold or the like of the same value is permissible as is proven in the Qur'an, Sunnah (acts, statements or approvals of the Prophet) and the Ijma` (consensus of scholars). The principle of mortgaging is to document a certain debt with a specific item that can permissibly be sold to repay the debt in case it is difficult to retrieve the debt from the debtor. However, you must keep that mortgage because it is a trust with you, and if the mortgager does not repay the debt or sell the mortgaged item to repay the debt from its price, then the reference in selling it and taking back your right is the Islamic court.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

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Hajr (limiting legal competence)

Fatwa no. 20676

Q: I am the guardian of five of my brothers who are underage. Each of them has his portion of the heritage after the death of our father (may Allah be merciful to him). Their money is kept in the bank for a certain time; and I pay Zakah (obligatory charity) for it whenever a Hawl (one lunar year calculated from the time a property reaches a minimum amount upon which Zahah is due) passes. I do not make use of their money by investing it because of my lack of experience and acquaintance with trade. I do not risk it in a commercial project for fear that it may be lost. If I leave it as it is, it will be lost by Zakah as the years pass. Thus, I thought of adding it to my own money as a loan. That is what I did and I presented it in a separate account book, including the money of each of them. I informed my mother, my wife and my adult brothers of what I did. Then, I bought a house due to my need for it. I intended to guarantee and protect their money, In sha'a-Allah (If Allah wills) from either being involved in an investment project that may not succeed or being lost by Zakah as the years pass. When one of them became an adult and legally competent, I gave him his portion, taking into consideration that I am now an employee and I have a good salary (all praise is due to Allah). Also, I can - In sha'a-Allah - give anyone of them his money whenever he needs it.

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The question: Is my action right, and should I pay Zakah for the money I borrowed from them? If there is Zakah, should I pay it from my own money or from theirs?

I hope you will give me your legal opinion. May Allah reward you with the best.

A: You should keep the money of the orphans till they become legally competent. Then, you should give it to them in person or through anyone you trust. If you increase it through legal methods for their sake, it will be better, as Allah (Exalted be He) says: ﴾And come not near to the orphan's property, except to improve it, until he (or she) attains the age of full strength﴿

You should pay Zakah for it every year because you are their guardian and deputy. It is Haram (prohibited) to borrow from it and add it to your money for your sake. At the same time, Zakah should be paid for their money. Thus, you should restore and maintain this money till they become legally competent.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21549

Q: A questioner asks that his father died leaving a wife, a father, a mother, four sons and three daughters, the eldest of whom is 17 years old. The judge assigned him as a guardian for the underage persons and a Wakil (legally accountable person who acts on behalf of another for a specific permissible matter) for the rest of the heirs. Till now he has not divided the inheritance. Moreover, he pays Zakah (obligatory charity) every year, and pays money as Sadaqah (voluntary charity) more than Zakah. Now, he has had a small Masjid (mosque) built and wants to pay half of its cost from the inheritance, while the reward of this Masjid is to be for the deceased. Moreover, he started to have a house built for the children of the deceased and the cost will be deducted from the inheritance. Are all these actions correct?

A: He should issue a document from the legal court to identify the heirs, then divide the inheritance according to this document. Moreover, he should give the adults and legally accountable people their portions, assign a guardian to keep the portion of the underage children and pay Zakah on their behalf every year.

He should not donate money or pay Sadaqah from their money, but he should protect it until they become legally accountable and give it to them. If the deceased had a will within the limit of a third of his money after paying off his debts, if any, the will should be executed according to the legal rules. If you want to pay Sadaqah for his sake, there is nothing wrong in this if you pay it from your own money.

May Allah grant us success. May peace and blessings be upon our Prophet, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21400

All praise is due to Allah, and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' reviewed what was received by the Grant Mufty (Muslim scholar qualified to issue legal opinions) from the questioner: Muhammad Al-Mas Bashir Farhan, the supervisor of a branch of the Charity Association in Al-`Urayja, referred to the Committee from the Secretariat General of the Council of Senior Scholars, no. 1055, dated 18 Safar, 1412 A.H. The questioner asks:

"I wish to inform you that Al-Birr Charitable Association in Riyadh has various activities: providing for orphans in different ways, one of which is that a subscriber pays a monthly amount and the orphan is taken care of by his mother. She is given this money: 200 riyals to spend on the orphan. Is this regarded as guardianship, and should we continue receiving and distributing it, taking into consideration that the orphans in this city live with their relatives: grandfather, uncle or the relatives of the husband or the wife? The one who cares for the orphan is given a monthly sum; is this regarded as guardianship for the sake of the charitable person that pays this money? Sometimes, the sum comes late, perhaps

after months, and he takes the sum all at once. Is this regarded as guardianship? Should we continue this method of guardianship? What is your advice for us?

Appreciate your guidance, may Allah safeguard and guide you, bless your efforts and let you be beneficial to others."

After the Committee studied this Fatwa request, it answered as follows:

Regarding the ways and methods of providing for and spending money on an orphan and spending money, I hope Allah (Exalted be He) will reward those who contribute to this project. I advise you to fear Allah (Exalted be He), to be keen on giving Sadaqah (voluntary charity) to those who deserve it and to continue this good work.

May Allah grant you success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of Fatwa no. 21235

Q 2: Some people give me Zakah (obligatory charity) to spend on my insane neighbor. However, he does not make good use of it and buys harmful things, such as cigarettes. How should I deal with him? Should I give him

the Zakah or send it back to the people who pay it? I hope you will guide me to the method that discharges me of the Zakah assigned to him. May Allah grant you success.

A 2: If he does not make good use of the money, the money should be given to his guardian to spend on him.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20860

Q: My 28-year old daughter has been ill since early age. She does not perform Salah (Prayer) in a correct manner yet sometimes fasts Ramadan. We saw may doctors in the Kingdom (of Saudi Arabia) and abroad, but no treatment has been found for her case of insufficient mental development. Sometimes, she helps her mother in preparing tea and cooking. Some people told me that it is not permissible to eat the food she cooks, because she does not offer Salah.

We would like to know: What is due on her and what is due on us for her according to Shari`ah (Islamic law) so that we will not be in error? May Allah guide you!

A: We ask Allah (Glorified and Exalted be He) for her recovery.

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You should treat her with kindness, order her to perform Taharah (ceremonial purification), and carry out the acts of worship as much as she can; for this you will be rewarded. It is permissible for you to eat the food she cooks as long as her hands are Tahir (ritually pure).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21077

Q: Revered Shaykh, my father died in 1416 A.H. after being struck by a lightning. He left behind nine children; five males and four females, who are all full brothers and sisters and I am the eldest. Two females are married and the remaining seven are beneficiaries of my mother's social security insurance. I can procure a sum of money for them in addition to the aid they receive from charitable people during the month of Ramadan. We helped a brother of ours to get engaged to a girl that is a relative of ours as we wanted to help him get married so that he would not fall into sin, Allah forbid!

Your Eminence Shaykh, the question is: Is it permissible for us to finance his marriage from the social security funds given by charitable people, and the value of some sheep left by our father (may Allah be merciful to him)? Please, note that I will count the whole expenses spent on this marriage from the social insurance sum and count it as a debt which

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he will pay off after he gets a job. If your answer is no, what should we do, bearing in mind that the engagement has already been announced and we are waiting until the vacation after Hajj season to consummate the marriage? May Allah reward you with the best and make your work beneficial to people.

A: It is impermissible to take any amount of minors' money, whether owned through inheritance, charity or anything else, to finance any affair of any of them. Rather, it is obligatory to keep their money and even invest it to their advantage. Actually, their money should be used to provide for them according to what is customarily reasonable and then handed over to them when they reach maturity. Accordingly, you should finance your brother's marriage from his own share and from the charity donated specifically to him.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20891

Q: A medical report was issued showing that I suffer from schizophrenia. In fact, I neither suffer from insanity nor any psychological illness. This report was falsely issued against me by the Medical Forensic Committee in Al-Ta'if.

It is known that the obligations of Shari`ah (Islamic law) are waived for an insane person, so is it permissible for me to abandon these obligations like Salah (Prayer), especially as the hospital doctors diagnosed me

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insane, and the blame will fall on them?

Should I perform the obligations, especially that I do not feel that I am insane? Please advise me, may Allah reward you with the best. As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: The obligations of the Shari`ah are not waived for a Muslim as long as he or she has a sound mind, for Allah (Exalted be He) says: (So keep your duty to Allâh and fear Him as much as you can) Therefore, a Muslim is required to perform as much obligations as he or she can. The Prophet (peace be upon him) said: (When I command you to do anything, do of it as much as you possibly can.)

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 16616

Q: I am a 23-year old man. I had a sexual dream only once. I show no signs that I am a hermaphrodite for I have a penis and two small testicles. When I masturbate, I ejaculate a small amount of Maniy (sperm/vaginal secretions that are released on orgasm). Am I considered an adult who is permitted to marry?

A: If the reality is as you mentioned, you have reached the age of puberty by

turning fifteen. Your ejaculation of Maniy is also a sign of reaching puberty. Reaching the age of puberty for males are marked by three features: ejaculation, the growth of the pubic hair, or reaching the age of fifteen. We advise you to marry, for the Prophet (peace be upon him) stated: (O young people! Whoever among you is able to marry, should marry, for marriage would help him lower his gaze and keep his virtuousness and whoever is not able to marry, is recommended to fast, for fasting would diminish his sexual power.) (Agreed upon by Al-Bukhari and Muslim)

We also advise you to repent to Allah for having masturbated. Allah describes the Mu'mins (believers) stating: (And those who guard their chastity (i.e. private parts, from illegal sexual acts)) (Except from their wives or (the slaves) that their right hands possess, - for then, they are free from blame;) (But whoever seeks beyond that, then those are the transgressors;) Masturbation has many harmful effects as stated by specialists. May Allah set right your affairs, make things easy for you, and guide you.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Delegation

Fatwa no. 20706

Q: The Saudi Collection Company, licensed through the Ministry of Commerce, is an agency that specializes in collecting debts for others. Its business necessitates that it deal with banks in executing the issued rulings on the bank clients from the authorized institutions such as the Monetary Agency, Arab Bank, Commission of Commercial Paper, Statutory Committees in the Chambers of Commerce, the Ombudsman's office, and courts.

The Collection Company is delegated to execute and follow up the decisions taken by the aforementioned institutions, and to collect the debts payable by them, usually through peaceful means. We wish to seek the advice of Your Eminence about the permissibility of participating in such an activity - since it is considered to be a delivery system of the banks' rights under the control of the system, instructions, and Shar`y (Islamic legal) and legal texts - taking into consideration that the company carries out this service in return for defined fees payable according to the terms of the contract with each bank.

Sometimes, cases on which there have been no definite rulings controlling them are referred to us. We settle the dispute through peaceful means, or compromise by agreement on both sides.

We ask Your Eminence (may Allah safeguard you) for advice and direction in line with the principle of Sadd-ul-Dhara'i` (blocking the means leading to sins).

A: If the debts are the result of Mubah (permissible) transactions free from Islamically legal prohibitions, then there is no harm in collecting them and cooperating with creditors. But if they involve prohibited dealings, like Riba-based (usury) loans for instance, it is not permissible to deal with them, following the general meaning of what Allah (Exalted be He) says: ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21300

Q: I own several car maintenance workshops and I also have a car spare parts shop. When a car comes to us for maintenance in any of our workshops, there are two possible methods of maintenance. Firstly, the client may stipulate that he will bring the spare parts himself from another location, in which case we only charge for the cost of labor. Secondly, the client may not stipulate this condition, which

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means that he delegates us to maintain his car, including providing the spare parts. We agree on the total cost of maintenance at the start, before the process of maintenance begins.

We usually provide the spare parts from our store, but in some cases we may not have the required part, in which case we look for it in the market and buy it - or a quantity of it - for our store. After that we add an acceptable profit percentage to cover the costs of our search - this includes a car and a driver - and the discount percentage that reputable wholesale spare parts buyers like us enjoy.

We give the client his spare parts bill with our profit percentage added. We also give him a bill for labor and a final comprehensive bill. Is there any sin on us in such a case? Take into consideration that we have placed a sign on all our workshops saying 'The workshop provides the needed spare parts from our stores. In the event that our stores don't have the needed parts in stock, we buy this part from another spare parts store or agent.'

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A: If you provide the spare parts for your clients from your store, there will be no sin on you to sell them at the same price outside your store to those who have their cars maintained in your workshop. But if the spare parts are not available in your store and the client agrees that you can buy it from another place, this is also permissible, but you will work only as a commission agent in buying those spare parts. As such, you are not permitted to charge your client more than the original purchase price, because the agent must be trustworthy. However, if the buyer chooses to donate some money to you in return for your service, you are permitted to take it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21043

My father (may Allah be merciful to him) died and left money and real estate. We are two brothers, two sisters (none of us is minor) and a mother. We sold the real estate after completing the legal procedures including the determination of heirs. All of us took our respective shares and we donated one third of the inheritance following the will of our father to build a Masjid (mosque). He also appointed me in his will to find a place for the Masjid under the power of attorney. I worked hard until I found the place and got the approval of the Religious Endowments Ministry and the municipality and started in

building the Masjid, Alhamdu lillah (All praise is due to Allah). I will furnish it with carpets and air-conditioners with a total cost of 303, 285 riyals.

Your Eminence, I am diabetic suffering from hepatitis and arteriosclerosis. I also have a large family that consists of my wife and nine young children. I have enclosed a copy of the medical reports of my case. Is it legally permissible for me to take a sum of the money allotted for the matting, air-conditioning, and furnishing of the Masjid, taking into consideration that I have intended to give in Sadaqah (voluntary charity) in charitable ways on his behalf. Your Eminence Mufty (Muslim scholar qualified to issue legal opinions), may you kindly clarify this issue for me. May Allah safeguard you.

A: It is obligatory on you to spend the rest of the one third after completing the Masjid according to the terms of the will through paying Sadaqah to the poor and charitable projects.

You are not allowed to take any of this money because you are only an agent and agents are not allowed to take from the money trusted to them except after the permission of the authorizer.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The fourth question of Fatwa no. 20948

Q 4: After the death of my father, our relatives bought a car for me and my younger orphan brothers. I use the car for both my personal interest and the interest of

my brothers. Is it permissible for me to use the car for my personal interest, taking into consideration that I cannot afford to buy a private car? How should the expenses of this car be distributed? Should I pay them from my personal money or should they be paid from the general account of the inheritors?

A: If the relatives who bought the car for you agree that you can use it for your private business, then there is no harm in doing that. But if they do not agree to you doing so, then you are not allowed to use it except for the interests of your brothers.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	\`Abdullah ibn Ghudayyan	\`Abdul-\`Aziz ibn \`Abdullah Al Al-Shaykh

Partnership

Fatwa no. 20428

Q: One of the topics on which we still did not have a clear Islamic legal opinion is writing off debts owed to a company by others as a result of several transactions. For example:

1- Those who have fallen into bankruptcy.

2- Embezzlers who run away from the Kingdom before being exposed. The company only could demand its rights back through the international police or through filing law suits against them before the courts of their countries which is most often futile.

3- Those who die without leaving a sufficient bequest to pay the debts they owe to the company.

4- When the debt is too little and the charges of collecting it exceed the loan itself.

Banks go to great lengths in collecting debts from the debtors, in some cases it has become a custom to write off those bad debts.

Al Rajhi Banking and Investment Corporation is one of the joint-stock financial companies, which is headed by a board of directors appointed by the Ordinary General Assembly of Shareholders. It is not of the authority of that board to donate money from the company to others, even though this board is authorized to discharge the debtors who owe money to the company according to its constituent assembly.

It is very difficult for all of the shareholders to attend as the owners themselves change daily according to buying and selling other shares of the market in many operations. I wish for Your Eminence to clarify those issues for us? Is it permissible for the board of directors of this company to write off those bad debts?

A: Having examined the Fatwa request and perused the system of the company related to this department, the committee replied that it is not permissible for the board of directors to write off those bad debts of those mentioned cases. Rather, they have to exert more efforts to collect the whole legal rights of the company from the insolvent, the embezzlers and others. Allah (Glorified and Exalted be He) says: ﴾Verily, Allâh commands that you should render back the trusts to those to whom they are due﴿ He (Glorified be He) says about the attributes of the Believers: ﴾Those who are faithfully true to their Amanât (all the duties which Allâh has ordained, honesty, moral responsibility and trusts) and to their covenants;﴿ He

(Glorified and Exalted be He) also says: ﴾O you who believe! Betray not Allâh and His Messenger, nor

betray knowingly your Amânât (things entrusted to you, and all the duties which Allâh has ordained for you).﴿ And: ﴾So keep your duty to Allâh and fear Him as much as you can﴿ The Prophet (peace be upon him) said: ﴾The hand that takes is responsible for what it has taken until it returns it.﴿

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 20488

Q: I am participating with other three partners in a farm. We agreed that I will pay the capital while they will manage it. I have already paid 200,000 riyals for this. We agreed that the profit and loss will be divided into four shares, with each of us having a one-quarter share. Is this contract valid and permissible? Kindly direct us, may Allah best reward you and grant you success.

A: This is known in Islam as a partnership in farming between you and them, with you paying the capital

and them doing the work. The profit should be distributed between you and them, with each of you receiving your appointed share according to your agreement. If there is no profit, you will lose your capital while they will lose their efforts; they will not be required to compensate you for any loss.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21711

Q: There is a company with many shareholders who hold equal shares of 1000 riyals. This company invests this capital and all shareholders agree (it is one of the terms of joining the board of shareholders) to distribute the profits at the end of every year in the following way:

*** They have to deduce the operating cost in addition to paying Zakah (obligatory charity).**

*** They choose a number of shareholders by drawing lots and distribute the rest of the net profit equally in addition to their capital and break up from the company after that. This is repeated every year taking into consideration the increase and decrease of the chosen number depending on the achieved percentage of net profit every year.**

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Is there any contradiction between what I have just mentioned and the great teachings of our Islamic religion? May Allah reward you with the best.

A: The mentioned method is not right, because it favors some of the shareholders with profit and prevents some of them from taking this profit; though it is obligatory to distribute profits equally to everyone according to their respective share in the capital however little it may be.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21594

Q: One of my friends invited me to participate in a business with him. He was in need of cash, so he made me the following offer: "You could have, for example, a 30% share in capital and a 30% share of the profits. But this partnership is for only one year, after which you and I will have the option to either go on in the same manner or to break up and pay you back your capital along with your share of any profits."

A: If the reality is as you mentioned, there is no impediment to you participating with this person, if his business is free from Riba (usury/interest), for whatever period you agree upon, because the origin in transactions

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is that they are lawful unless there is any proof of prevention.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

(Part No. 11; Page No. 164)

Lease

Fatwa no. 17011

Q: I possess many buildings in different places that I rent as apartments for citizens and expatriates. I have noticed that some of those who have rented apartments from me installed satellite dishes at the top of the building. I wish for Your Eminence to clarify the issue for me and show me how to deal with such people from the Shar`y (Islamic legal) point of view in order to take the necessary procedures to discharge my responsibility. I also would like to know your Fatwa (legal opinion issued by a qualified Muslim scholar) on some of those dwellers who live by the Masjid (mosque) and never pray in it. What should we do as owners toward those people? Should we go on in renting for them or should we force them to evacuate our apartments? Is it permissible for us to add to the terms of the lease contract that it is a must to perform congregational Salah (Prayer) in the Masjid and if they breached the contract they will be evacuated? Waiting your quick reply. May Allah safeguard you.

A: It is not permissible to let them install satellite dishes because their installment and use will ease the availability of prohibited watching. Also, it is not permissible for a Muslim to abandon congregational Salah. If some of those whom you have rented an apartment neglect congregational Salah, you have first to show your disapproval and to advise them. If they do not comply, you will have to inform the competent authority

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to put a stop to the problem. You have the right to stipulate at the time of contract signing that the tenants must not fail to attend congregational Salah nor to install a satellite dish. Whenever they breaches the terms of the contract, you will have the right to ask them to either evacuate the rented apartment or to remove the satellite dish and to keep steadfast in performing congregational Salah and Jumu`ah (Friday) Prayer in the Masjid. Allah (Glorified and Exalted be He) says: (Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.)

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 18456

Q 1: I was working in a laboratory specialized in pork for six months. When the money I got from this job reached the Nisab (the minimum amount on which Zakah is due) and a Hawl (one lunar year calculated from the time a property reaches the minimum amount upon which Zakah is due) passed on it, I paid the due Zakah (obligatory charity). I worked in another laboratory and I mixed the lawful money I received from this job with that I earned from the other one. I now pay Zakah on the whole sum.

When I was working in the first laboratory, I was astray as I did not perform Salah (Prayer) or observe Sawm (Fast), then I repented to Allah (Glorified and Exalted be He).

What is the ruling on this mixed money? Should I pay Zakah on all of the money? I do not know the exact sum of money which I earned from the first job and this is why I pay Zakah on all of it. Is the following Hadith: (Islam wipes out all that has gone before it (previous misdeeds),) **applicable to me? Please advise me, may Allah reward you.**

A 1: To be on the safe side, you have to estimate the amount of money which you collected from the first job and pay it as Sadaqah (voluntary charity) to get rid of it. You have to repent to Allah (Glorified be He) as He accepts the repentance of anyone who performs Tawbah (repentance to Allah).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The fourth question of Fatwa no. 19327

Q 4: What is the ruling on carrying out a task for someone in another country and asking him to pay the travel costs?

A: If someone carries out a task for another person, it is not sinful for him to receive the travel costs and fees for carrying out this task, but only if the task is lawful and is done with the consent of both sides. This is simply hiring someone

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to do something, which is permissible in Islam.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
Salih Al-Fawzan	\`Abdul-\`Aziz Al Al-Shaykh	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

Fatwa no. 21643

Q: I own a plot of land, which I had agreed to rent to a local bank that deals in Riba (usury/interest) for a long period to enable them to establish a branch in the area. However, after reading a Fatwa (legal opinion issued by a qualified Muslim scholar) issued by the Permanent Committee for Scholarly Research and Ifta' that announces that it is not permissible to release this plot of land to banks dealing in Riba (Fatwa no 20507) dated 3/8/1419 A.H, I have decided not to release this land to the bank. Someone who has connections with this bank called me and offered to rent my land for himself for the same period the bank had requested. I knew that he wanted to rent my land on behalf of the bank to avoid involving me directly. Moreover, the same person offered to buy my land if I did not wish to rent it. I also understood that he wanted to buy the land to release or sell to the bank to establish a branch on it.

Is it permissible for me to sell or release this land to this person without any impediments,

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taking into consideration that I definitely know that he will either release or sell it to the bank to establish a branch on it?

I wish for Your Eminence to clarify for me what action is permissible in both cases, releasing or selling. May Allah grant you success.

A: It is not permissible to sell or release any property to someone who will use it to disobey Allah (Exalted be He), such as dealing in Riba, according to what Allah (Exalted be He) says: ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.﴿ This applies whether it takes place directly or indirectly with your knowledge.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21599

Alhamdu lillah (All praise is due to Allah) Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

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The Permanent Committee for Scholarly Research and Ifta' has reviewed what has been sent to His Eminence the Grand Mufty (Muslim scholar qualified to issue legal opinions) from the questioner, the chairman of the Charitable Society to Combat Smoking, and which was referred to the committee from the Secretariat General of the Council of Senior Scholars under no. (4051) and dated 11/7/1421 A.H. The text of the question is:

The Shar`y (Islamic legal) evidence prohibits smoking, and dealing in the business of smoking, because of its religious, health, economic, and social ramifications. Since dealing with tobacco takes different forms such as growing, manufacturing, transporting, importing, exporting, marketing, distributing, advertising (on satellite stations, newspapers, exported magazines, using clothes with logos of tobacco companies), some tobacco companies fund cultural and sports competitions and activities.

The Charitable Society to Combat Smoking in the Kingdom has made its own efforts to spread awareness among members of society about the harmful effects of smoking and to help smokers to quit. Many people who have benefited from the Society's activities ask about the Shar`y ruling on the money of those who deal in the abovementioned activities, particularly those people who do not smoke or trade in it, but

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only receive their salaries from activities related to the tobacco industry, especially advertising. We wish for Your Eminence to let us know the Shar`y ruling of the Permanent Committee for Scholarly Research and Ifta' with regard to this, may Allah reward you with the best.

After close examination of the Fatwa request, the committee replied that it is not permissible to work for companies that manufacture, distribute, or advertise tobacco products. The salary that the employee gets in return for working for such companies is Haram (ill-gotten) money because it is considered to be helping in sin and transgression. Whoever works in such activities should repent to Allah and leave such business and ask Allah for Halal (lawfully-earned) money, ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine.﴿ May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21564

Q: Commercial banks have become a keynote of the global economy as they spread in Muslim and non-Muslim countries.

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Dealing with them has become common among people in different fields of life.

Commercial banks have been established in the Kingdom of Saudi Arabia as in other countries. The Kingdom has issued a law for them called Banking Control Law and delegated the Saudi Arabian Monetary Agency to supervise and follow their activities. The most important of those activities are:

1- Receipt of cash as current or fixed deposits.

2- Opening of current accounts and letters of credit, the issuance of letters of guarantee, collecting the payment of checks, orders of payment, and any other valuable papers.

3- Deducing bonds and bills of exchange, and other commercial papers.

4- Foreign exchange.

5- Investment in projects and companies in the Kingdom (with about 20% of its capital).

6- Trading in the shares of those companies for the interest of the bank and the interest of others.

All the abovementioned activities fall under the umbrella of banking transactions, and some of them are suspected of dealing in Riba (usury), such as the fixed deposits and other direct cash investments.

Anyone who follows the budgets of banks working in the Kingdom will find that

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they involve great amounts of money taking different forms and forming a great part of the wealth of the Kingdom in both governmental and private sectors. Moreover, they have deep associations with the many classes of society, including individuals and different institutions. That is why the state - in keeping the riches of the Kingdom safe and developing its economy, which is the backbone of its financial strength and enables it to achieve an honorable way of life for its people - has tightened control on the activities of those banks and enacted systems, regulations, and criteria to achieve that purpose.

Among the control measures stipulated by the systems controlling companies and banks is requiring every bank to appoint two observers to their accounts section from the registered list of the Ministry of Commerce. The observers of accounts are required to submit an annual report of the budget and a profit and loss statement. This report should include the opinion of those two observers of accounts on how the budget represents the true financial position of the bank and how convinced they are by any illustrative data or information given to them by the bank director or by any other bank

staff.

As one of the chartered accountants licensed by the Ministry of Commerce to conduct the audits, I have been working in this manner for more than twenty years, I have received invitations from several banks to conduct audits for them, but I have always apologized - out of piety - since those banks engage in activities suspected to involve Riba.

Many of our colleagues also do not carrying out audits for banks for this same reason.

Because of this, the task of auditing has to be exclusively carried out by only four accountancy firms, which consist of foreign companies working shoulder to shoulder with Saudi partners who are licensed to practice auditing. The negative impact of the presence of foreign companies in this field is obvious; it gives them a golden chance to know the financial and economic secrets of the Kingdom, because of the fact that banks are among the most important financial institutions that keep minute details on the economic position of countries. This is aside from the harmful impact of such practices that are known to every wary and sincere Muslim.

The task of comptrollers is to check the position of the banks and make sure that their financial activities have been carried out according to banks' internal regulations and the general systems that control their activities. The comptroller does not interfere in the decision-making process concerning the completion of any banking operations because his mission is only to make sure that all operations are carried out in accordance with the systems and regulations. This means that the position of the comptroller is different from the position of an ordinary employee who practices banking activities and contributes to the completion of banking operations according to the level of his job in the bank. Is practicing auditing in banks, in the light of what has just been mentioned,

among the prohibited practices according to our Shari`ah (Islamic law)? Is the comptroller included among those mentioned in the Hadith, which includes the following: (Allah cursed the accepter of Riba, its payer, one who records it, and the two witnesses to it.)

I wish for Your Eminence to issue a Fatwa in this regard, taking into consideration the needs of the Maslahah (public interest) and our Purified Shar` (Law).

May Allah guide us to the truth and safeguard us against falsehood; He is the All-Hearing, the All-Answering.

A: Reviewing and auditing Riba-based banks is not permissible, since it is considered to be helping others in their sins and transgression, while Allah (Glorified and Exalted be He) says: (Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.) The wvastness of Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect) does not mean that it has become permissible or even acceptable to find pretexts to make it available to or accessible by Muslims. It is obligatory to keep away from such practices and to offer continuous advice to the owners of Riba-based banks to quit fighting Allah and His Messenger, since Mubah (permissible) practices could suffice for them from Haram (ill-gotten money). Moreover, whoever abandons anything for the Sake of Allah, Allah will reward him with something better than it.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The first question of Fatwa no. 21010

Q:1 I own an agency selling, buying, and releasing real estate. This agency has an independent legal personality. Some of the employees work for salaries while others work for a certain percentage of the income. The question now is that, I completely own those real estate and they are sold through the mediation of this independent office. Is there any impediment to make the buyer or tenant pay the commission of buying or leasing to this independent agency and then I take my percentage after that?

A: The fees of brokering are estimated according to `Urf (custom) in defining its amount and who should pay it and to whom. If the two sides agree and consent of what is not the custom, there would be nothing wrong with that. But if they do not know the percentage or they do not agree on that percentage, it is not permissible. This is because the money of any Muslim is not permissible to be taken except with his consent and free will according to the abundant evidence in the Qur'an and Sunnah (whatever is reported from the Prophet).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21073

Q: The questioner would like Your Eminence to issue a Fatwa (legal opinion issued by a qualified Muslim scholar) clarifying to him whether his salary is Halal (lawfully-earned) money or Haram (ill-gotten) money. The questioner works in one of the ports of the Philippines and he is a Philippines employee. He says that he is in charge of collecting the fess of shipping in this port. These fees are on some prohibited goods such as wine, pork, and cigarettes. Is his salary taken from this job Halal or Haram?

He wishes for Your Eminence to clarify the issue for him since he is deeply worried about it.

A: If the reality is as you mentioned, it is not permissible for the questioner to work in the mentioned port because in this way he helps in eating pork, drinking wine, and smoking. Allah (Exalted be He) says: ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.﴿ This questioner has to look for any other permissible job with lawfully-earned money taking into consideration that whoever abandons something for the Sake of Allah, Allah will reward him with better than it. Allah (Exalted be He) says: ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine.﴿

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

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Competitions

Fatwa no. 20656

Q: I went to one of the nearby groceries to buy milk for my children, the owner of the shop told me that they have a certain type of milk product which has cash prizes in the form of riyals. These prizes start from one riyal to five hundred riyals. I have bought four packages to earn more money. I found in two of the four packages one riyal in each, ten riyals in the third and five hundred riyals in the fourth. Is it permissible for me to take this money? If not, what should I do? If they are prohibited why do you not prohibit it so that people don't commit prohibited acts? Kindly clarify this issue for us, may Allah reward you with the best.

A: The principal ruling is that it is not permissible to put cash money or any other prizes inside food packages or any other goods, because this involves cheating people and attracting large numbers of clients and swerving people from buying other products which do not contains such prizes. Buying milk packages containing various amounts of money with the main aim of getting that money is not legally permissible. Also, it is a form of gambling which Allah prohibits because it involves fraudulence, uncertainty, and Riba (usury/interest), as the client hopes to restore some of what had been paid or even more than it. This is Riba in which it is prohibited to deal,

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because ignorance of equality (of goods) is like knowledge of inequality (of goods) and both are prohibited. So, it is not permissible for you to take the money you found inside the milk packages. You should better return it to the suppliers of this milk if it is easy for you to do so; otherwise, you could get rid of it through giving in charity charity to the poor and the needy.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21724

Alhamdu lillah (All praise is due to Allah) Alone and peace and blessings be upon the Last of the Prophets. to proceed:

The Permanent Committee for Scholarly Research and Ifta' has reviewed what has been sent to His Eminence the Grand Mufty (Muslim scholar qualified to issue legal opinions) from the questioner through the Center of Daw`ah and Guidance in Jeddah, and which was referred to the committee from the Secretariat General of the Council of Senior Scholars under no. 5846 and dated 21/9/1421 A.H. The text of the question is:

Attached to the Fatwa request, you will find an advertisement for the Ramadan quiz competitions presented by Saudi television, channel one. It was sent by someone requesting the Fatwa of Your Eminence, since the contributors have to buy a calling card that is 15 riyals

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for adults and 10 riyals for children. The contestants call the program using the calling card and provide their names and phone numbers. The program presenter chooses one of the contestants randomly through the computer, phones him, and asks him about something shown in a short film. If the contestant gives the right answer, he wins the prize. It is not possible to participate in this competition or even call the program except by purchasing this calling card.

I wish for Your Eminence to clarify the issue for us.

After close examination of the Fatwa request, the committee replied that it is not permissible to hold such a competition as it involves gambling. The participants pay a certain sum of money to buy the calling card in the hope that they might win a larger sum of money, which is the essence of gambling prohibited by Allah according to the evident text of the Glorious Qur'an when He (Exalted be He) says: ﴾O you who believe! Intoxicants (all kinds of alcoholic drinks), and gambling, and Al-Ansâb, and Al-Azlâm (arrows for seeking luck or decision) are an abomination of Shaitan's (Satan) handiwork. So avoid (strictly all) that (abomination) in order that you may be successful.﴿

It involves Riba (usury/interest), since the participants pay this money to get more money than they paid for the calling card, which is made as a means for obtaining money through Riba.

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman

21690

Statement issued by the Permanent Committee for Scholarly Research and Ifta' on

the ruling on the competition prizes given by the

Shop at Home program or any other kind of business competition

Alhamdu lillah (All praise is due to Allah) Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' has reviewed the Shop at Home program, which gives away prizes such as cars, computers, and mobile phones. The contestant buys withdrawn numbers from the program committee and gives them to the shop's clients free. The numbers are eligible to win valuable prizes from a pool of about 300 items including cars, phones, computers, and mobile phones, as advertised in the program brochures distributed. After studying this offer, the Committee concluded that this is a form of gambling, which is prohibited along with wine,

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Al-Ansâb, and Al-Azlâm (arrows for seeking luck or decision) in what Allah (Exalted be He) says: ﴾O you who believe! Intoxicants (all kinds of alcoholic drinks), and gambling, and Al-Ansâb, and Al-Azlâm (arrows for seeking luck or decision) are an abomination of Shaitan's (Satan) handiwork. So avoid (strictly all) that (abomination) in order that you may be successful.﴿ ﴾Shaitân (Satan) wants only to excite enmity and hatred between you with intoxicants (alcoholic drinks) and gambling, and hinder you from the remembrance of Allâh and from As-Salât (the prayer). So, will you not then abstain?﴿ Every contestant takes a risk by paying a certain sum of money while not knowing whether he will get something in return or not. This is the real nature of gambling. This practice also involves manipulating people's minds and cheating them. Some companies and foundations resort to these competitions to get great amounts of money without giving people anything in return, depending on false pretenses to lure the people. Any practice that involves gambling, fraudulence, eating people's money unjustly, or causing harm to other companies that do not apply the same practice is prohibited. Allah (Exalted be He) says: ﴾O you who believe! Eat not up your property among yourselves unjustly except it be a trade amongst you, by mutual consent. And do not kill yourselves (nor kill one another). Surely, Allah is Most Merciful to you.﴿ ﴾And whoever commits that through aggression and injustice, We shall cast him into the Fire, and that is easy for Allâh.﴿

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Illustrated as thus, the Committee advises all Muslims to keep away from any practice against the guidance of Allah's Purified Manhanj (methodology), which He illustrates to His Servants in the abovementioned glorious Ayah. May Allah grant us success. May peace and blessings be upon our

Prophet Muhammad.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

21878

Statement issued by the Permanent Committee for Scholarly Research and Ifta' on the ruling of the prizes won by competitions in games and the like

Alhamdu lillah (All praise is due to Allah) Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

A great number of questions are directed to the committee concerning the ruling of prizes won in competitions. The following question is one of them:

My question pertains to what I have seen in one of the recreation sites in Al-Thamamah. Some of the game venues - where the prices range from five to two hundred riyals - charge an admission fee

of about ten riyals. In one of the games, the contestants throw the ball several times into a net. If the ball enters the net three times, they win two hundred riyals. If the ball enters two times, they win seventy riyals. If the ball does not enter the net or they were only able to hit it once, they will not receive anything. (This is a summary of what took place.)

As for the other types of games, they are:

1- Throwing a ball into specific holes on the wall.

2- Throwing a ball into a net on the wall.

3- Hitting a target by shooting a rifle.

4- Attempting to pass through a spring while holding a piece of iron without touching the spring.

5- Choosing the names of cities, actors, and footballers and trying to guess those names in closed boxes.

6- Throwing a small ball on a large box containing some numbers, with each number carrying the name of a certain prize.

We wish for Your Eminence to issue a Fatwa regarding this to clarify for people whether this practice is Halal (lawful) or Haram (prohibited).

The Permanent Committee for Scholarly Research and Ifta' has replied that it is not permissible to take the prizes (whatever form they may take) won through those games and business and advertising competitions because they are a form of gambling, which Allah and His Messenger prohibited. Moreover, they are considered to eat people's money unjustly. The Prophet (peace be upon him) said: (Wagers are allowed only in three (activities): shooting arrows, racing camels, or

racing horses.) The Prophet allows wagers in these three activities only because they are means of Jihad (striving in the Cause of Allah). The mention of those three activities excludes any other forms of competitions. The principal ruling concerning people's money is that it is prohibited to eat it unjustly. His Eminence `Abdul-`Aziz ibn `Abdullah ibn Baz (may Allah be merciful to him) wrote an essay in this regard on 15/7/1402 A.H., in which he states that

it has been noticed that some foundations and malls advertise in newspapers and other media about giving prizes to whoever buys their products. This entices people to buy their products or to buy unnecessary goods just to get these prizes. Since this is a form of gambling, which is legally prohibited and which leads to eating people's money unjustly, and involves a hard sell to promote the sales of certain products and decrease the sales of similar products by competitors who do not adopt the same gambling practices, I would like to draw the readers' attention to the fact that these practices, and the prizes won through them, are prohibited because they

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are a form of gambling, which is prohibited in Shari`ah (Islamic law).

A Fatwa was issued from the Permanent Committee for Scholarly Research and Ifta' no. (18172) dated 15/10/1416 A.H., prohibiting the competitions that some newspapers hold as means of advertising their products in order to increase their sales. There is also another Fatwa no. (20656) dated 6/11/1419 A.H., which prohibits the prizes that companies put inside packaged food and other goods in order to entice clients to buy their products and divert them from buying the products of other companies that do not adopt the same practices. The Fatwa stresses the fact that these practices are not permissible in Shari`ah and they are a form of gambling, which Allah prohibited as it involves fraudulence and ignorance. A decree was issued by the Council of Senior Scholars no. (162) dated to 26/2/1410 A.H., concerning the ruling on the competitions that some companies hold and advertise in mass-media to obtain large amounts of money without giving anything in return, and which depend on deceiving common people with vain hopes and dealing with them fraudulently. The council found that this is a form of eating the people's money unjustly, because everyone who participates pays a certain sum of money without knowing whether or not they will get something in return, which is a form of gambling and prohibited in Shari`ah.

All Muslims who pay a small amount of money in the hopes that they may get more than what they paid, and those who resort to these prohibited tricks to promote the sales of their products, and newspapers and other media who participate, should repent to Allah and keep steadfast to the permissible means of

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earning money and seeking for Rizq (sustenance).

May Allah grant us all success in knowing what is right and applying it in our actions. He is All-Hearing, All-Answering! May peace and blessings be upon our Prophet Muhammad.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 19416

Alhamdu lillah (All praise is due to Allah) Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' has reviewed what has been sent to the His Eminence the Grand Mufty (Muslim scholar qualified to issue legal opinions) from the questioner, the chairman of the Annual Charity Running Race, `Abdul `Aziz ibn `Aly Al-Turky, and which was referred to the committee from the Secretariat General of the Council of Senior Scholars under number (269) and dated 14/1/1418 A.H. The questioner says:

For two years, we held an annual charity running race in the Eastern region, which aimed to achieve the following:

1- To train the members of our society to perform athletic activities that strengthen their bodies.

2- To spread the spirit of cooperation among members of our society in charitable projects through activities involving participation, love, and helping others.

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3- To implant the principles of public service in the minds of our students and train them for charitable activities for the good of our religion and country.

4- To collect donations and contributions from ticket sales and race advertisements and to distribute the collected sums among charitable societies in the region numbering about forty-eight, including the Association for Teaching People How to Memorize the Glorious Qur'an, the Orphanage, the Social Education Center, and the Association for the Care and Rehabilitation of the Disabled.

The Organizing Committee of the Annual Charity Race adopted the following means to achieve those aims:

1- Selling the subscription forms for 100 riyals through which the contestant was given the equipment needed for the Race, along with a medal. Every subscriber was free to participate either by running or by donating the value of his subscription form to the charities.

2- Some students distributed the subscription forms for those who wanted to participate in the Running Race or who wanted to donate at times other than those of prayer, school, and study.

3- Companies, institutions, and individuals were encouraged to participate by donating

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prizes for the winners and participants.

4- The Running Race was divided into two stages: the first stage is five kilometers and the second is ten kilometers. Both stages of the Race took place at the same time.

5- Awards were given to the first three place-getters according to their age. These awards were cups, medals, and different amounts of money in cash.

6- The remaining money was distributed by drawing lots among the attending participants who bought the subscription form, whether they participated in the Running Race or donated its value.

Your Eminence: These were the aims and ends of the Race. We only held this Race with a charitable aim to help others and with the pure intention of keeping it away clear from impediments. As such, we wish for your Eminence to clarify for us what is lawful and what is unlawful in our case to enable us to proceed in a manner that is better for our society and citizens aided by the success of Allah. Take into consideration that this charitable activity (the Annual Charity Running Race) is a purely voluntary activity for the organizing committee, the students, and all other contributors. It does not have any business orientation at all. Allah knows best.

After examining the Fatwa request, the committee concluded that the Race in the form outlined in the question is not permissible according to what the Prophet (peace be upon him) said: ﴿Wagers are allowed only in three (activities): shooting arrows, racing camels, or racing horses.﴾ What is meant by wagers is the compensation, the shooting arrows, and racing camels and horses.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 20952

Q1: I hope Your Eminence can clarify the following issue for me. It was announced that there will be a competition for the Glorious Qur'an during Ramadan, all over the Arab Republic of Egypt All praise to Allah alone, I won the competition and the prize attached to the letter I sent you. I have not yet accepted the money, as I want to make sure that there is no Riba (usury/interest) in this prize, even though I need some books such as Al-Mughni and Al-Insaf and Fatwas of Shaykh Al-Islam (Ibn Taymiyyah). I have studied some books in Hanbaly Fiqh (Islamic jurisprudence) such as Al-Umdah and Al-Sharh Al-Mumti` `Ala Zad Al-Mustaqni`, by Shaykh Muhammad Al-Salih Al-`Uthaymin, but I stopped because the Shaykh himself stopped at volume

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eight and has not yet issued volume nine. My husband is an employee whose salary does leave any room for buying even a cassette tape, not to mention one of those precious books. I wish for Your Eminence to clarify this issue for me.

A: If this competition was held only to answer cultural questions without having to pay any money to subscribe, then receiving any prize for that is permissible. However, if you had to pay money to subscribe before or after the competition, this is considered a form of prohibited gambling, and it is not permissible for you to take the prize.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21070

Q: I intend, In sha'a-Allah (if Allah wills), to launch a private magazine specializing in horsemanship in which I plan to profit through advertising and the gradual increase of sales and distribution. This could be achieved through holding a weekly competition with every issue, and the expanded distribution of the magazine will justify the price of advertising.

The nature of this competition can be explained as follows:

- The competition is managed through a special phone number where

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the participants' answers are mechanically answered.

- A special phone number is enclosed with each issue through which the participants can participate only once.

- The magazine explains the names, types, and classifications of the participating horses and the race rounds and conditions.

- Each participant selects three horses in order of preference to win the competition race. If any horse withdraws, the next one fills the gap. Usually the selections depend on the history of the participating horses, taking into account the number of competitions in which a horse has won, its performance in the last competition, its health conditions, and training activity.

- During the phone call, the participant registers his participation number, then he selects from the participating horses according to the information given.

- The participant will, In sha'a-Allah, complete his registration in only a few seconds.

- The winning participants are drawn electronically after feeding in the results of the competition.

- There will be ten valuable prizes awarded each week.

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May Allah grant us success. We wish Your Eminence to clarify for us whether this competition is legally permissible or not. Moreover, I seek your advice since I wish to strictly follow what Allah likes and what pleases Him.

A: The mentioned competition is a form of prohibited gambling, Allah (Exalted be He) says:

﴾O you who believe! Intoxicants (all kinds of alcoholic drinks), and gambling, and Al-Ansâb, and Al-Azlâm (arrows for seeking luck or decision) are an abomination of Shaitan's (Satan) handiwork. So avoid (strictly all) that (abomination) in order that you may be successful.﴿ Thus, this competition is one form of devouring people's money unjustly. You have to keep away from such competitions. Whoever gives up anything for the Sake of Allah, Allah will compensate him with something better than it. He (Exalted be He) says:

﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine.﴿

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 17764

Q: Is competition in memorizing the Glorious Qur'an permissible or not?

A: There is nothing wrong with holding competitions for memorizing the Glorious Qur'an and its recitation, and offering

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prizes for that activity, as long as this is done without taking any money from the contestant students, because this helps people to memorize the Qur'an and seek knowledge.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

The fourth question of Fatwa no. 16815

Q 4: Is it permissible to distribute prizes and celebrate the excellent students in the Masjid (mosque), taking into consideration that the celebration starts with reciting the Glorious Qur'an and is free from clapping?

A: It is permissible to distribute prizes among the excellent students in the Masjid, as long as these prizes are given for doing permissible activities like research and memorizing the Glorious Quran.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 19512

Q: We wish for Your Eminence to answer the following questions, may Allah reward you with the best. Dar Al-Ifta (House of Fatwa) in the Philippines, headed by Shaykh Mukhtar `Abid,

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Deputy of the Ministry of Islamic Affairs in Saudi Arabia, organizes an annual competition for reciting the Glorious Qur'an on several levels (levels that are held for every municipality, every governorate, and every province) where several contestants are invited from both men and women. The referees are always men. The audience listens attentively to the recitations of both men and women. The question is: What is the ruling on such competitions? We wish for Your Eminence to answer this question in detail, giving evidence from the Glorious Qur'an and Sunnah (whatever is reported from the Prophet) because Shyakh Mukhtar `Abid said that this competition is permissible for both men and women in the pretext that it encourages Muslims to study the Qur'an, whether reciting or memorizing.

I wish for Your Eminence to send one copy of your answer to the second address of the mentioned Mufty of Philippines. May Allah reward you with the best.

A: Holding competitions for helping people to memorize the Glorious Qur'an is a good work since it encourages people to study the Qur'an and memorize it, but women should be separated from men and should also be heard by women who best memorize the Qur'an to block means of temptation.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Insurance

Fatwa no. 21563

All praise is due to Allah Alone and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' has reviewed what was sent to His Eminence the Grand Mufty from the questioner, Prince Sultan ibn Faysal ibn Muhammad ibn `Abdul-`Aziz Al Saud, which was referred to the committee from the Secretariat General of the Council of Senior Scholars under no. (2983) and dated 15/5/1421 A.H. The text of the question is:

As Your Eminence knows that that our country is a joint place for those countries of Al-Sham (The Levant) and the Gulf States, the neighboring states have business transactions with the countries of Al-Sham and such is the case with Al-Sham which also needs some goods or services from those countries. The passage of land of The Kingdom of Saudi Arabia has become a meeting point for the goods coming from Lebanon, Turkey, Syria, Jordan, Egypt, and other countries to the Gulf States and vice versa. This leads to the admission and passage of large numbers of lorries and trucks from those countries which results in a lot of road accidents, some of them leads to injuries, deaths and causalities in possessions and souls of the citizens

both Saudis and others.

In light of what has just been mentioned, the state, may Allah maintain its prestige, detains the passing driver sending him to the penitentiary and takes upon itself to pay all his financial and in kind responsibilities till the issuance of a Shar`y (Islamically legal) sentence and its execution. As for Diyah (blood money), the Saudi charitable committees pay it in most cases because of the incapability of the passing driver to pay such large amounts of blood money. He may have a lengthy stay in penitentiary which forces him to quit his business as a breadwinner for his family back in his country which leads to great harm both for Saudis and or others.

We have a great desire for development and modernization so long as it coincides with our tolerant Shari`ah (Islamic law) since we would like to take the permission of our mindful state to apply the system of Islamic cooperative insurance to those who pass by in The Kingdom of Saudi Arabia which is similar to what is taking place in the neighboring countries. The following are some benefits of such a procedure:

1- We will totally comply with the conditions of Fatwa of the Council of Senior Scholars no. 51 which includes the permissibility of Cooperative Insurance .

2- The driver will also make use of this procedure at the time of having an accident, Allah forbid, as it will allow him to pay for his financial responsibilities and enable him to return

home and keep his family together.

3- Financial saving of the state budget as a result of the needed charges

for the comprehensive care of the prisoner.

4- The stability of the social and psychological status of the admissions and the passing of citizens coming from neighboring countries to our countries as they will feel safe in themselves and their rights.

5- Maintaining the rights of the citizens and expatriates and the availability of obtaining these rights as soon as possible especially when we take into consideration that in some cases there are wives and orphans who only have one breadwinner whose imprisonment will affect them negatively.

So, we hope that Your Eminence will kindly clarify this issue for us. May Allah grant you success!

After examining the Fatwa request, the Committee replied that a Farwa was issued from the Permanent Committee for Scholarly Research and Ifta' no. (55) prohibiting Commercial Insurance in all forms because of its harmful effects and great risks including using up people's money unjustly; its practices are legally prohibited and forbidden. A decree has also been issued by the Council of Senior Scholars no. 51 announcing that cooperative insurance is permissible but it should consist of the endowments of good donors and it should be meant for the help of the needy and the devastated without any profits for the participants even their capital, profits, or any return on investment since the participants intended Thawab (reward from Allah) (Glorified and Exalted be He) through helping the needy and not any worldly gain. This is included in what Allah (Exalted be He) says: ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.﴿

and what the Prophet (peace be upon him) said: ﴾Allah will aid a servant of His so long as the servant aids his brother﴿ What has been mentioned in the question is considered as one form of prohibited commercial insurance, so it is not permissible to be ratified or applied.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no 20693

Q. I am working in a certain company which makes contracts with some hospitals to supply medical insurance for the staff of this company since it pays one millions riyals, for example, to the hospital annually. Those hospitals have to treat the patients of the company staff for certain diseases and injuries according to what has been agreed upon in the terms of the contract. Is it permissible for us as employees to be treated in such hospitals according to the terms of this contract or is it a form of gambling?

A. The commercial insurance - which includes the Health insurance- is Muharram (prohibited) in all its forms as it involves using people's money unjustly. It also implies fraudulence, ignorance and gambling. Hence, it is obligatory upon every Muslim not to take part in such systems or even to use them if he is

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working in any company that applies this to its employees. Moreover, he has to treat himself from his personal money and to keep away from Haram practices.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	\`Abdullah ibn Ghudayyan	\`Abdul-\`Aziz Al Al-Shaykh	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

Fatwa no. 21667

Q. Someone has a dispensary and used to conclude contracts with some companies to treat their employees for a specific amount of money per year. The employees of the contracting companies have the choice to go every now and then without a minimum or maximum limit for their visits. Is this contract Islamically valid? I hope Your Eminence will clarify the issue for me. May Allah grant us all success and guide your steps for He is All-Hearing, All-Answering !

A. This is known as Health Insurance and it is one form of commercial insurance which is Muharram (prohibited) according to the decree of the Council of Senior Scholars.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	\`Abdullah ibn Ghudayyan	\`Abdul-\`Aziz ibn \`Abdullah Al Al-Shaykh

Fatwa no. 21238

Q. I would like to tell Your Eminence that Riyadh Reconstruction Company secures healthcare coverage to its employees and their families for free through paying the bills of their medical treatment to the medical institutions contracted with the company according to a specific order. The company is now intending to cancel this system and make a contract with some companies concerned with health insurance to supply the medical needs for its employees and their families. Riyadh Reconstruction Company will pay a certain amount of money per person regardless of the increase or decrease of the medical services against the paid sum during the year. My question in this case is:

1- Is it permissible for the company to conclude such a contract with the health insurance company?

2- Is it permissible for the employees of this company to make use of the medical services provided according the terms of this contract? Please take into consideration that the employees are required to pay a certain percentage of the costs of this healthcare service according to the terms of this contract, which has to be paid to the health insurance company directly.

3- Is this case included in the Fatwa of the Permanent Committee no.

20629, dated 13/ 10 1419 A.H.

A. The health insurance mentioned in your Fatwa request is one form of commercial insurance which is legally prohibited since it involves fraudulence, gambling and using people's money unjustly.

The Council of Senior Scholars issues a decree prohibiting commercial insurance. So it is neither permissible for Riyadh Reconstruction Company to conclude this contract, nor is it permissible for its employees to make use of or subscribe to it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions! .

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Ill-gotten Money

(What takes the ruling of usurpation)

Fatwa no. 15719

Q: About fifteen years ago I was in the house of one of our neighbors who was on his death bed. They took him to the hospital. I found his wife sitting with another woman, and I joined both of them. The other woman said to his wife: "Take some of his personal money." The wife replied: "Are you going to tell tales about me?" We replied that we will not do that. Moreover, we did not know what to do. The wife went to the safe and took an amount of money and Allah Alone knows how much was it, and she alone knows how much it was. After the death of the husband and the distribution of the inheritance, the stolen amount of money was not noticed. We did not tell anybody about it till now. Today I remembered this situation, so I went to the wife and advised her to pay this amount back or even to tell the inheritors about what had happened, but she told me that she can not do that, and I am sure that she will not be able to do it in the future. It must be taking into account that the other woman, who was sitting with the wife at the time, took some of it, may be the whole of it. I heard and saw it all but I did not know then what was the right action to take. The inheritors are the mentioned wife and her son and a daughter from a deceased wife. What is the ruling on this case and what should I do? What should the wife do and What should

the other woman do? What should all of us do now? May Allah benefit us and you! May Allah reward you with the best!

A. The wife who usurped this money has to offer Tawbah (repentance to Allah) (Exalted be He) and pay it back to the inheritors of her husband especially to her step-daughter. The woman who insinuated to her has to pay back what she took, and she, along with anybody who knew and did not disapprove the guilty action, has to repent to Allah (Glorified and Exalted be He).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 18490

Q 2: Is illicit money subject to Zakah (obligatory charity)? What is the ruling on giving in charity and financing marriage from illicit money?

A 2: If a Muslim earns illicit money while knowing it is ill-gotten at the time he acquires it, he has to repent to Allah and get rid of such wealth by donating it to a public enterprise other than building a Masjid (mosque) or give it to the poor and the needy. In brief, it is by no means permissible to keep such money while knowing that it is ill-gotten. If the money is acquired by robbery, plunder or theft, it should be given back to its rightful owners or their inheritors through whatever means if they are known; otherwise, if they are unknown, it should be given in charity on their behalf.

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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The third question of Fatwa no. 19611

Q 3: A person died, leaving three female heirs and a three-year boy. His inheritance included a pick-up truck, which was with one of his cousins, being the husband of one of the inheriting daughters of the deceased. Allah (Exalted be He) willed that I needed the above-mentioned pick-up truck. I asked the mentioned person to lend it to me for ten days to use it in transporting students and some objects. After the ten days, I returned it to him as intact as I had taken it. However, I deeply regretted this act, because the pick-up truck is not owned by this person, but is owned by the heirs, including a girl and a boy, who have no one to sustain them except benevolent people. Then, I decided to calculate the daily rent of the truck for ten days based on the rates of the car rent offices. However, I was puzzled about the following:

to whom should I give this rent: the girl, the boy, all of the heirs, or pay it as Sadaqah (voluntary charity) for the deceased, or the owner of the truck, taking into consideration that they all can afford their living, except

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the boy, the girl and their mother? I hope you will advise me.

A 3: You should pay the rent of the truck for the ten days and give the money to all the heirs, unless the legally accountable persons among them generously grant you their portion of the rent. The portion of the underage persons should be given to their Wakil (legal accountable person who acts on behalf of another for specific permissible matters).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 20721

Q 1: A woman says that she used to take some of the camel wool, according to the order of her mother-in-law. These camels were in the possession of the brothers of her mother-in-law. Some people said at that time that if the camels drank from the water they had, their wool, hair and milk became Halal (permissible). Did I make a mistake, respected Shaykh, in taking some of the wool?

A 1: If the owners of the camels permitted this woman to take some of the wool, and they knew and said nothing, there would be nothing wrong in taking the wool to use it. But, she is not permitted to take this wool without knowledge or agreement of the owners of the camels. She should try to get their permission for what was previously done and not

to do this again unless they agree. If the camels drank the water of people who did not possess them, this did not permit them to use their milk, wool, hair and and so on, without the permission and approval of their owners.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 20631

Q: I had a sum of money with a foreign company operative in Saudi Arabia. It is 4,500 riyals in return for the work I did for this company. I came to them several times to get it, but they could not pay, but they refused claiming that the engineer who received the project left the company to another. Thus, I should ask him for this sum. Finally, I went to the company's manager who told me that I should claim a sum of 20,000 riyals and submit the necessary documents for this claim. He also told me that I might give him some of the money or I take it, as this company is unfair. He explained the matter on the documents, and I received a sum of 20,000 riyals.

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The question is: Is it Halal (lawful) to take the extra sum? If it is not, is it permissible to donate it to charitable project or pay it as Sadaqah (voluntary charity) for the needy? I hope you will give us your legal opinion. May Allah reward you with the best.

A: This is not permissible, because it includes lies and deception to take money in an illegal way. The questioner should ask the company for the sum he deserves. Allah (Exalted be He) says: ﴾O you who believe! Eat not up your property among yourselves unjustly﴿ You must give back the extra money to the company.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 20777

Long time ago while I was in the prime of life, I was so inadvertent, ignorant and poor that I would steal livestock. Having repented and willing to discharge my responsibility regarding what I have stolen, I ask the following questions:

1- I stole an amount of cardamom estimating 120 riyals forty years ago and want to

pay back its value. Should I estimate it according to its today's value or according to the value for which I sold it at that time?

2- I stole some goats that produced offspring while in my possession. Should I give back the original number of goats or give back the offspring in addition to the rightful owners?

3- If there were partners with me, should I give back my share only, or what should I do?

May Allah safeguard you!

A: You should pay the value of cardamom for which you sold it at the time you stole it to its rightful owner if alive or to the heirs if he is dead. If this is not possible, you should give it in charity on behalf of the owner. However, you should give the value to the owner whenever you reach him or his heirs later, in which a case the reward of charity will be yours In sha'a-Allah (if Allah wills). As for the goats you stole, you should give it back along with their offspring to the rightful owner if alive or to the heirs if he is dead. However, if there are no heirs or you cannot reach them, you should give the estimated total value of the goats and their offspring in charity on behalf of the owner. Anyway, you should give the goats and their offspring or their value to the owner whenever you reach him or his heirs later, in which a case the reward of charity will be yours In sha'a-Allah. If you have partners in stealing, you should free yourself from accountability through giving back your share of the stolen property to the rightful owner or give it in charity on behalf of the owner in case you could not reach

the owner or the heirs as stated earlier. Moreover, you have to sincerely repent and be determined not to do this evil act again. Furthermore, you should advise your stealing partners to free themselves from accountability and warn them against Allah's Punishment. They should be advised that taking over people's properties is an act of injustice that is unforgivable unless properties are returned to the rightful owners or otherwise they forgive or waive their rights.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The second question of Fatwa no. 21209

Q 2: I took some of my grandmother's money before she died with the intention of repaying it. However, my grandmother (may Allah be merciful to her) died before I could repay the money, bearing in mind that I am suffering from financial difficulties. What is the ruling in this case?

A: You must tell the legal heirs of your grandmother about it, because the money you took now belongs to the estate of your deceased grandmother (may Allah be merciful to her). If they - being the rightful owners of the money - overlook their right to it, it will be yours; otherwise, you will have to repay it to them.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	\`Abdullah ibn Ghudayyan	\`Abdul-\`Aziz ibn \`Abdullah Al Al-Shaykh

(Part No. 11; Page No. 211)

Fatwa no. 21682

Q 1: I had a commodity which I bought for a certain sum of money. Then, one of my friends asked me about its price, but I told him a price that is more than the price I actually bought it for. He gave me the money to buy the same commodity for him. I took the money and bought it, then I took the rest of the money. Then, my friend died, what should I do?

A: You should repent to Allah (Exalted be He), pay the extra money to the heirs of the deceased and ask them to forgive you.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Q 2: A friend of mine sent his family money with me, but I forgot to whom this money belonged and spent it. When he returned, he asked me whether I delivered the money to his family, I said that I did not know that he had sent anything and I swore that I did not know. Later on, I remembered that he had given me the money, and I was embarrassed to tell him. I regretted what I did; and the owner of the money is still alive. I hope you will consider this matter.

A 2: You should pay the money back to its owner and ask him to forgive you.

May Allah grant us success. May peace and blessings be upon Our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of Fatwa no. 20894

Q 2: Landlords, who have shareholders, adopt a way in selling a plot of land, may Allah (Exalted be He) guide them. When they sell a plot of land, they retain a small piece of it to be an excuse for non-payment of all of the rights to the shareholders. Is what they do permissible?

A 2: If the reality is as you mentioned, landlords who have shareholders should not retain any piece of land to deceive them in order not to give them all their rights. This is regarded as procrastination in giving rights, which is injustice. The Prophet (peace be upon him) said: (Procrastination (delay) in paying debts by a wealthy man is injustice.) (Agreed upon by Al-Bukhari and Muslim)

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21715

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' reviewed the question received by His Eminence the Grand Mufty from His Eminence the Director of Da`wah and Guidance Center in Dammam, no. 22/1/1295, dated 25 Sha`ban, 1421 A.H., including a Fatwa request sent by His Excellency the Commander of the Military Police in the Eastern Province Border Guard,

and referred to the Committee from the Secretariat General of the Council of Senior Scholars, no. 5458, dated 1 Ramadan, 1421 A.H. He asked His Excellency the following question:

"We would like to notify Your Eminence that we had a department called Financial Claims, which was newly structured in 1417 A.H. Before that year, we had a sum of 9,705 riyals left. This sum was collected from some individuals for the interest of other citizens. We attempted many times to know who the citizens were, for whom this sum was collected or the individuals paying this sum, but we could not identify any of them.

Thus, we hope you will inform us whether we can spend this sum in building and repairing the Masjids (mosques) in the Border Guard. May Allah safeguard and protect you."

Upon considering the Fatwa request, the Committee answered that the one who collected the sum should exert all possible efforts to know the identify of the payers and payees, and this includes publicizing this matter. If they failed to identify them after exerting effort, they should pay the sum as Sadaqah (voluntary charity) intending the owners of this money to reap the reward, or they can use it in a charitable project.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 13993

Q: I graduated from one of the institutes in Riyadh and by Allah's Help I obtained a university degree. After graduation, I joined the armed forces as an officer in 1402 AH. It is well known that a university graduate receives 50,000 riyals, if he has not worked in a governmental institution. However, I worked for five years as a teacher with the certificate I obtained from the institute. Then, Allah guided me to the right path and I began thinking about this 50,000 riyals day and night, wondering if it was Halal (lawfully-earned money) or Haram (unlawful). I tried to return the money to the proper authorities, but this would result in a military trial and an in-depth inquiry, because I am an officer. I hope you will direct me regarding what to do with this money. Should I send it to the Mujahids (those fighting in the Cause of Allah) in Palestine, Afghanistan, or to any Muslim country where it may be needed? Answer us, may Allah grant you success.

A: If the reality is as mentioned, you should pay this money in charity to the poor.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The third question of Fatwa no. 14167

Q 3: I work as a school manager. Sometimes I receive amounts of money assigned to certain activities, such as the arts, sports and other activities, but I take a lot to myself and spend little of it (on the purposes assigned by the donors). I do not know exactly the amount I have taken; and now I repented. How can I discharge myself from this catastrophe?

May Allah bless Your Eminence Shaykh, grant you long life in obeying Him, and make your last deeds the best. My peace and blessings be upon our Prophet Muhammad, his family and Companions.

A 3: Try hard to count the sums you took, and bring them back to the treasury of the school. If you fail to do this, you should pay them as Sadaqah (voluntary charity) to the poor with the intention of paying it on behalf of its donors. Moreover, you should repent to Allah (Exalted be He). May Allah forgive you, us and all of the Muslims.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21534

Q: My father worked in France for four or five years, then he returned to Morocco. They used to send to him his pension years later. After his death,

the pension was transferred to my mother, who asked all of my brothers to sign a document related to the pension. When I refused, she became extremely angry with me. I regarded every cent over the sum deducted from my father's salary in return for his work as Haram (unlawful). However, I signed the document to satisfy her after all of my brothers signed it to enable my mother to receive the pension via a bank.

Did I commit a mistake by signing this document? Is the pension, especially the sum that exceeds the deduction taken on my father's salary during his work, Haram?

A: If your father deserves this sum in return for his lawful work, all of you shall inherit it after his death, as it is the right of you all. But, if it is in return for unlawful work, it is Haram to him and to you, and you should not take it.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21662

Q: I am a young man and responsible for a family. I work in a restaurant owned by the University of Higher Education, and the law allows students and workers to purchase meals at a lower cost than the actual value of the meal.

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I eat in this restaurant and buy additional meals at the same lower price for my family. Is this lawful, taking into consideration that my income is small and does not suffice me and my family.

A: If the system of this restaurant allows you to do so, there is nothing wrong in doing so.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 3293

Q: I am the legal Wakil (legally accountable person who acts on behalf of another for a specific permissible matter) for my brother who has gone abroad to complete his master's degree. He gave me a sum of money to distribute it among the poor. Then, one year after traveling, my brother authorized me to pay Zakah (obligatory charity) of his money which is a trust on me. The same occurred the following year until the total amount of money became about 5,000 riyals. Praise be to Allah, in Ramadan of this year 1400 A.H. my financial condition improved and I gave out this money. I hope you will give me Fatwa (legal opinion issued by qualified Muslim scholar) to clarify whether or not I must atone for this delay in order to please Allah. I am waiting for your reply. May Allah reward you in the best.

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A: You committed a grave error by delaying the distribution of the money, which you were entrusted to deliver all this time. However, you have given it to its beneficiaries. Consequently, there is nothing required of you except to repent to Allah, ask for His forgiveness, turn regretfully to Him, and not to do so again.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 3330

Q: One of my relatives killed one of his relatives in Jordan and received a sentence of 6 years, according to the Jordanian law, in Amman. Then, a general amnesty was passed on all prisoners but my relative was committed to 20,000 riyals as Diyah (blood money) according to a tribal conciliation in Jordan. However, he and his brothers owned nothing and all their relatives in this country deserted them. I was working at that time in the Saudi Arabian army in Turayf and they begged me to support them. So, I requested a leave and headed to Jordan. The Armed Forces commander in Jordan issued circulars to the Saudi forces so I collected the money and paid it. I exerted great effort to do. But I was in need of money at this time, so I kept 3,500 riyals from the collected money for myself.

I gave this money as a dowry for a bride in addition to some money I had. Now, my previously imprisoned relative lives in Al-Qurayyat. He is corporal sergeant, married and has children and a house. What can I do with this money to stop the pricking of the conscience and clear away my past misdeeds? Note that the money was a donation from numerous soldiers; some of them donated around 10 riyals, more or less and I do not know them? Please, give me Fatwa (legal opinion issued by qualified Muslim scholar), may Allah reward you with the best! Should I pay this money back to that man, because it was collected for him or give it in charity on behalf of those who donated it? May Allah prolong your life!

A: If the case is as you mentioned, you have to spend this money in a similar purpose like that for which the money was collected, i.e. someone unable to pay blood money. Otherwise, you should give it in charity. We hope Allah will reward you well for helping your Muslim brother and forgive your delay of this money.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 17701

Q 1: We would like to ask Your Eminence about someone who lost a sum of money.

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Someone found the lost money, but he did not know who it belonged to. He was overtaken by desire for money and spent it because he does not know its rightful owner. What should he do after two years have passed since that? Please give us your reply. May Allah reward you with the best.

A: The person who found the money must return it to its rightful owner if he is still alive. However, if the rightful owner is dead, he must give it to his heirs. If he fails to give it to its rightful owner or his heirs, he may give it in charity to the poor while intending to dedicate the reward to the rightful owner and making Tawbah (repentance to Allah) of that sin.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	\`Abdul-\`Aziz Al Al-Shaykh	Salih Al-Fawzan	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

The first and second questions of Fatwa no. 20948

Q 1: My grandfather was entrusted with some sheep, which my young father pastured. As far as I know, my father had not yet reached maturity at the time. One day, my father carelessly slaughtered one of the sheep and did not eat or do anything with it. He did so negligently and told his father that it died. Then, they informed the owner of the flock that it died and he admitted that.

They did not tell him the truth and both of them are now dead. What should I do? If they are committed to doing something, how should it be repaid especially as I do not know the owner of the sheep? Answer us, may Allah reward you with the best!

A 1: If you do not know the owner of the sheep, you should pay its price in charity on his behalf. The money is taken from your father's estate or from your money and you will be rewarded, in sha'a-Allah (if Allah wills).

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Q 2: A while ago my father sold a stray camel which he had found. Now I do not know the monetary value of the camel nor do I know its owner. My father (may Allah be merciful to him) is dead now. What should I do? If I must pay the price of the camel, from where the money should be taken and to whom it should be given?

A: The same previous ruling stated above applies to the case of the camel.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20704

Q: My brother works at a school whose principal appears to be a righteous person, even though no one can verify this but Allah (Exalted be He). However, he is accustomed to doing a strange thing which he does not want to abandon: when one of the school teachers wants to marry

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the principal orders the salary official to cut off a certain sum of money from the teachers' salaries whether they like it or not on the pretext of giving financial assistance to the would-be husband. He tells the teachers that he does not force anyone to pay and that everyone may decline to do so. However, many teachers cannot object out of shyness and for fear of being accused of stinginess. Even though the teachers now receive their salaries at the bank, the situation remains the same, albeit in a different way. A list, including teachers' names and the sum due to be paid, is given to the teachers. Once the paper is given to a teacher, their shyness prevents them from objecting. As the teacher knows that the paper will ultimately fall into the hands of the would-be husband, their shyness motivate them to pay. Moreover, in case of refusal, the teacher is asked why. At that point, they are told that the money will be paid on their behalf on the assurance that they will pay it back at a later time. Thus, shyness motivates them to pay. Many teachers told their colleagues that it was shyness that motivated them to pay and that they did not offer the money willingly. Strangely enough, like I said before, the principal, despite being righteous, is committed to doing this as assistance is needed and the amount paid is too little. It seems that he is influenced by what is known as social status. This custom is widespread among many school principals. He also thinks that by doing so, he is inviting people to do a good deed.

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He claims that he cannot give up this practice.

I hope Your Eminence will tell us whether or not this practice is permissible. If not, please give him a word of advice so that he may give up this practice which may render him sinful in the sight of Allah (Exalted be He) and which makes him an object of mockery among the teachers. We also hope that you will tell us whether the teachers should continue to pay the money unwillingly or if they should inform the principal that they are not satisfied with what he does.

A: One of the fundamental principles of Islam is that it is not lawful for the Muslim to take the property of his fellow Muslim unless they give the money willingly. This has been indicated in many textual proofs. Accordingly, it is unlawful for this principal to cut off an amount of money from the teachers' salaries to help their colleagues unless they willingly agree to do so.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21337

Q: A questioner asks about the agreement of Al Yahmad tribe to establish a fund according to a foundational memorandum, which includes five items with

numerous clauses.

A: After considering the attached agreement, it is clear that it includes financial obligations that must be fulfilled by members of the tribal kinship. Any member of the tribe, does not participate in the agreement, is considered as separated from the kinship and should undertake the consequences. Hence, it is not permissible to agree on these conditions or to bind people by them, because these obligations have not been obligated by Allah or His Messenger. Also, it may break the ties of kinship and cause hatred and disagreement, a result that completely contradicts the purposes of the purified Shari`ah, such as friendliness, love and cooperation between relatives.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21477

Q: We have a special fund for the benefit of its subscribers, but it involves complicated conditions. Such conditions are as follows: The subscriber has to pay one thousand and two hundred Riyals by the end of each year, at a rate of one hundred Riyals per month. Should there be any delay in payment, the subscriber will have to pay a hundred Riyals as a penalty in addition to the delayed sum for six months. (If a subscriber declines to pay) they will be considered to have withdrawn from the fund. Also, they will not be entitled to any sum of money, and their balance in the fund will be confiscated

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in the interest of the other members of the fund. Should they desire to reactivate their membership, they will have to pay the delayed sum in double, together with any discrepancies that might have taken place during their withdrawal period or when stopping the payment. It is to be noted that some subscribers have sufficient incomes, while some others receive small salaries not exceeding one thousand and five hundred Riyals [per month], and some others are unemployed. This makes the latter delay payment and consequently, which results in their being considered to have withdrawn, with their balances being confiscated for the benefit of other fund members.

Provide us with a fatwa in this concern, may Allah reward you, noting that I have sought to come to an understanding with the secretary of the fund but to no effect. The responsible people insist on carrying out the penalty clause. I hope that you issue an official fatwa on this penalty clause and the confiscation of the subscriber's rights in this fund. May Allah safeguard you.

A: Reviewing the referred to agreement, it is found that it contains financial penalties double that which the subscriber pays in the first place or deprives them of their dues in the fund, etc. Such penalties are unlawful, because they are against the consent of the subscribers and because it causes hatred and quarrels among the subscribers as is noted. So, such an agreement must be given up.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and his Companions!

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Deposit

Fatwa no. 21678

Q: A treasurer at a State-owned institution was robbed. The stolen objects were public money in addition to a sum of money pertaining to a colleague who deposited it with that treasurer. However, the workers of the institution collected money for the treasurer equal to what was stolen from him.

1- Is it permissible for him to take the donations to settle that money?

2- Is it permissible for the one who deposited the money to take his money from these donations?

A: There is nothing wrong with collecting money from benevolent people equal to what was stolen. It is permissible for the person who deposited the money to take his money back from that money.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Luqatah

The first question of Fatwa no. 14218

Q 1: Nearly four years ago I found about four hundred Riyals in a wallet. Before I spent the money, I kept looking for the owner of the wallet, but I could not find him. So, I spent the money. What should I do to expiate for that sin? Thank you.

A: Anyone who finds Luqatah (a lost item found by someone else) must advertise it in public places for one whole year, especially in the area where he found it. He should acquaint himself with the features that distinguish it from all similar objects. If the rightful owner is not found, he may give it in charity to the poor while intending to credit the reward to its rightful owner.

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The first question of Fatwa no. 14266

Q 1: Around the year 1380 AH, I was walking with my friend in one of the streets of Riyadh when we came across a wallet which contained three hundred Riyals and four pounds. We divided the money between us: one hundred and fifty Riyals plus two pounds each. At that time, one pound equaled around forty Riyals. My question is: What should I do with that money so that I can clear myself of any sin? It is to be noted that I

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did not advertise this money publicly at that time. Please advise me! May Allah reward you with the best!

A: You are duty bound to give an equal amount of money to the Fuqara' (poor) in charity while having the intention to credit the reward to the rightful owner. You must also turn to Allah (Glorified and Exalted be He) in repentance. You should have advertised the lost money for one whole year publicly.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 16269

Q: I found a brass statue of a bird standing over a cross in the street. There is an antiques company, which sends its worker to collect all the ancient monuments left behind by the British and the Germans in World War I. Some friends told me that selling this bird-like statue is not permissible, because it reaches the Christians, who worship the cross under the bird. I was not convinced, because my friends did not give me evidence from the Qur'an or the Sunnah (whatever reported from the Prophet). I sold this antique for an amount of dirhams. Am I sinful for doing that? Answer me, may Allah reward you with the best!

A: It is not permissible to pick up a Luqatah (a lost item found by someone else) unless one will announce it for a year in hope of finding its owner. If one does not find the owner, it is allowable to take it. But the case here is different, because the object found is a bird made of

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brass which is dishonored property. You should have destroyed it and it is unallowable to sell it, because it is an embodied the image of a living animal. Thus, you are required to get rid of this money and give it to the poor.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 16482

Q: Someone found five hundred Riyals in a street where there were no passers-by. He kept the money in the hope that its owner might show up and ask about it, which did not happen. He has had the money in his possession for one and a half months now. What should he do with it? Is he free to spend it or to spend one half and give the other half in charity to the poor and the needy, or should he deliver it to Bayt-ul-Mal (Muslim treasury)? What is the ruling on the person who finds a sum of money in Makkah Al-Mukarramah, Al-Ta'if, or Jeddah?

A: One may pick up the money which he finds in the street. He must acquaint himself with its distinguishing features and make a public announcement for one year that he has found money. He may advertise it in the newspaper. He must deliver it to anyone who identifies its distinguishing features. This is based on the Hadith in which the Prophet (peace be upon him) replied to a question about someone who finds Luqatah (a lost item found by someone else). He (peace be upon him) said: ﴾Take note of its container and its tying material then make a public announcement about it for one year and if its owner comes, give it to him; otherwise use it as you like.﴿ (Agreed upon by Al-Bukhari and Muslim)

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If the owner comes during the year of announcement, the finder must give it to him after asking him to identify its distinguishing features. However, the profit of the Luqatah may not be delivered to its rightful owner. It should be kept in the possession of the finder because it was made while in his possession.

The finder may make a one-year advertisement of the Luqatah by making a public announcement twice or thrice a month. This is not the case for a Luqatah which is found in Makkah: the finder has no right to use it freely. Only someone who constantly makes a public announcement for it may keep it in his possession. This is based on the Hadith in which the Prophet (peace be upon him) said: ﴾...and picking up its fallen things is illegal except by him who makes a public announcement about it.﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of fatwa no. 17290

Q 2: If someone finds a small amount of money, not gold or silver, should they wait for one year and search for its owner or spend it because it is little?

If the money found is of a considerable amount in the eyes of common people, it is obligatory on the one who finds it to announce its distinctive features in public places for one year. The person who found it should choose a suitable time for announcing it two or three times per month. If a year elapses and nobody comes to take the money, it is permissible for the finder to take it, unless it was picked up from Al-Haram in Makkah (all areas within the Sacred Sanctuary of Makkah). This is because the Luqatah (a lost item found by someone else) of Al-Haram in Makkah must not be possessed by announcement, according to the statement of the Prophet (peace be upon him) regarding Al-Haram: (Its found object is not allowable to be picked up except for someone who will announce it and if its owner comes,

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it should be given to him.) If the amount of money is inconsiderable in the eyes of common people, it may be taken when found and it is not obligatory to announce it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 18253

Q 2: When I was almost fourteen years old, I found a wallet in the area where I live. It contained three thousand Riyals which I gave to my cousin who lives with me in the same house. I turned to Allah (Exalted be He) in repentance from what I did. It must be noted that I knew the owner of the wallet, yet since I was not acquainted with him, I felt shy to give it to him. Moreover, the owner of the wallet lives in a remote area.

What should I do? May Allah reward you with the best!

A: You must return the aforesaid wallet to its rightful owner unless he gives you permission to use it freely. If you feel shy to give it to him personally, you may send it by any means possible without their knowing who the finder was.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The eighth question of Fatwa no. 14893

Q 8: I found a sum of money somewhere and asked people there about it but it was not theirs. Is it permissible to use this money?

A 8: It is required of you to announce it in places where people usually gather and where you may find its owner for one year. If nobody comes, you should write the description of this money and the type of case in which the money was found, if it was inside a case, and then you can spend this money. If its owner comes, even after a long time, and gives its description, you should pay it to him. You may pay this money in charity and if its owner comes, you should inform him of that. If he is not satisfied, you should give him the money and the charity is counted for you. However, if the money is little, it is not obligatory to announce it. In addition, if you picked it up from Al-Haram in Makkah (all areas within the Sacred Sanctuary of Makkah) it must be paid to the authority concerned.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 18934

Q 1: Five years ago, I found a gold ring in the street and gave it to my mother. Whenever she went somewhere where women would gather, she would ask them if anyone lost a ring but no one answered.

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The ring is still with us until now. Please, illustrate for me if I can sell it and give its price in charity or what should I do? I hope you will give me the appropriate advice.

A 1: If the reality is as you mentioned that your mother announced for five years about the ring in places where women always gather while its owner did not show up, it is permissible for you to use it. If its owner comes and identifies it one day, even after years, they should be given it or its price. However, it is better for you to give it or its price in charity on behalf of its owner.

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Q 2: About three years ago, my younger sister found a watch in the street and brought it to the house. I took it because it was so beautiful and wore it. I admit that I did not tell anybody or announce it among people, because I was happy with it. However, it remained for one year and then it broke down and could not be repaired. I fear that I will meet Allah while charged with it. Appreciate your guidance, may Allah guide you.

A 2: It was obligatory on you to publicize the watch for one year in the places where it is hopeful to find its owner. As long as you did not do so and a long time has passed and there is no hope to finding its owner, it is required of you to give its price, when it was sound and undamaged, in charity on behalf of its owner. Also, it is obligatory on you to repent to Allah for what happened and to avoid doing so in the future. Nevertheless, if you are able to

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to find its owner now, you should search for him and give it to him.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 18901

Q: I was eleven years old and my brother was thirteen years old when we went to the market to do shopping. We found 10,000 riyals in a dusty case, took it with our stuffs and gave it to our father. I should mention that our father was old and illiterate and there were no shaykhs at that time to clarify what was Halal (lawful) or Haram (unlawful). Are we and our father sinful in that? Guide us, may Allah reward you with the best!

A: It was required of you, when you found this money, to identify its features and announce it for a year in places where it is hopeful to find its owner. However, you did not do so, a long time has passed, and it will be impossible to find its owner. Thus, it is obligatory on you to give this money in charity on behalf of its owner, repent to Allah for what happened and not to do so again in the future. If it is possible to find the owner of this money,

you must search for him and give him the money.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Lost sheep

Fatwa no. 15355

Q: I am a shepherd and I often find many lost sheep. Three years ago, I came across a young goat, which delivered a goat and the goat gave birth to two young goats and a he-goat. I sold the male goat and the young goat was eaten by a wolf. I announced it but nobody claimed it. In addition, I found a he-goat four months ago and no one asked about it. I slaughtered and ate it. Moreover, I found another goat one year ago, which gave birth to a young goat and no one asked about it until now. Please, advise us.

A: First, we advice you not to take lost sheep unless you announce it for one year. You should do that yourself or get someone to do so on your behalf in places where it is hopeful to find its owner. You should choose the times when the owner of the lost sheep is expected to be present and do that once or twice a month until a year elapses.

Second, if someone comes during the year and mentions the features of the lost sheep, give it and its descendants to him.

Third, if a full year elapses and nobody comes claiming the ownership of the sheep,

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it and its descendants are yours.

Fourth, you have taken some sheep and bred them without performing the above-mentioned procedures, so you are required to evaluate them and give their value in charity on behalf of their owner. If the owner comes after that, you should let him choose either to approve of the charity and its reward will be given to him or to take the value of his sheep and you will receive the reward of the charity.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 14781

Q: My mother told me that 30 years ago my family was living in the desert, because they were traveling Bedouins. Once, they found a place in the desert where water was available, an old woman came asking about a lost sheep and its ram. This was at the beginning of the day and after five hours, the sheep and the young ram came. We searched for the woman but we did not find her. We did not know her name or place and we would not remain in that place. We left it after one and a half days. I should mention that we did not possess sheep, only camels. Therefore, my father, may Allah have mercy upon him, sent it to the market and sold it for fear of

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hardships and that it might be eaten by wolves. He sold it for three French riyals, equal to 12 Arabian riyals. Dear respected shaykh, I hope that you will answer me as soon as possible in order to expiate on behalf of my father and show us what can be done. We are waiting for your response, may Allah guide you to what pleases Him!

A: If the case is as mentioned, you should give the price of the sheep and its ram in charity on behalf of its owner.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third question of Fatwa no. 14798

Q 3: A woman has some sheep. One night she found a goat with her sheep and nobody came to ask about it. Being a woman, she could not announce it. The goat delivered three young goats and the woman sold the mother goat. What is the ruling on the price of this goat and what should she do with the three young goats? May Allah reward you with the best!

A 3: It is obligatory to return the value of the goat and its offspring to their owner or their heir if he or she is not alive. If this is impossible, you should give it in charity to the poor on behalf of its owner after discounting what you spent on it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 17019

Q: While I was doing some errands I saw someone holding a ram. I took it from him claiming that it was mine. I searched for its real owner but I did not find him and no news about him reached me. Now six years have passed, what is the ruling on my case? What should I do with the dirhams I collected? May Allah reward you with the best.

A: This is unrightfully forbidden seizure of money. You are sinful for that and you have to do the following:

1- Repentance to Almighty Allah for what you committed.

2- Returning this ram to its owner or his heirs if you know them to free yourself of it. If the ram is dead, you have to return its value.

3- If you fail to find its owner or his heirs, you should give it or its price in charity to the poor on behalf of its owner.

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Fatwa no. 21903

Q: I possess a flock of sheep. More than a year ago, a skinny goat joined my flock while it was returning from the pasture and it is still with us until today. I asked the neighboring owners of sheep and in the market but nobody claimed that they lost a goat of that description. As I purchase fodder and barley for my sheep, the goat has become fat and given birth to a young goat.

Dear respected shaykh, is it allowable for me to dispose of this goat - that is, to sell it for instance? Am I the owner of its young sheep? If it is allowable to sell it and who deserves its price? If I want to possess it, which is my desire, should I bring someone to assess its price? Should its young ram be evaluated with it? Should I assess it in its previous or current status? Answer us, may Allah reward you with the best!

A: A: If the reality is as you mentioned and that you announced it for one year and nobody asked about it, you can posses it. Then, if

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its owner comes and gives its actual description, you should give it and its offspring to him if they are still present, or pay him the value.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of Fatwa no. 18708

Q 2: A person found a sheep and took it in his car. It was very thirsty and his aunt gave it water and fed it. However, she did not announce the sheep, because she lived in the desert and we are all Bedouins. The sheep has grown and produced many rams and about half of our sheep are from its offspring. What should the woman do? May Allah have mercy on you!

A 2: You should have to announce about the sheep for one year in the areas around the place where you found it. If its owner identifies it, he should take it; otherwise, the finder may take it to his possession. As a long period has elapsed and you did not announce the sheep, it is obligatory on you to give its price and the price of its offspring in charity on behalf of its owner. If its owner comes one day, he should be given the price of his lost sheep and the charity will be counted for the one who found it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 18696

Q: Once I was inspecting our cattle and I found a he-goat not belonging to our flock. I made a public announcement of it for one year but nobody came to claim it. Please, give us Fatwa (legal opinion issued by qualified Muslim scholar) showing us what to do with it.

A: It is permissible for the finder of a lost goat to take it, according to the saying of the Prophet (peace be upon him) when he was asked about the lost sheep: ﴾It is yours or for your brother, or for the wolf.﴿ If someone finds a lost sheep, they should make a public announcement of it for one year in public places. After that they have the choice to sell it and keep its price or to slaughter it and eat it. Then, if its owner comes and identifies its attributes, he should be given its price. The Prophet (peace be upon him) said: ﴾Whoever finds a lost object is himself astray unless he makes a public announcement of it.﴿ (Related by Muslim in his Sahih [authentic] Book of Hadith).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Luqatah in Al-Haram

Fatwa no. 18003

Q: I found a watch valued at 35 riyals in Mina during the days of Hajj. I did not know that the Luqatah (a lost item found by someone else) in Al-Haram (all areas within the Sacred Sanctuary of Makkah) is not permissible to take except for someone who will publicize it. Then, I found out the ruling when I returned home. What is the ruling in this case?

A: It is impermissible to take the Luqatah (a lost item found by someone else) in Al-Haram except for somebody who will advertise it by calling for it until he finds its owner and gives it to him. The Prophet (peace be upon him) said, regarding Makkah: ﴾And picking up its Luqatah is impermissible except for someone who will make a public announcement about it.﴿ Thus, it was impermissible for you to take the watch you found in Mina and keep silent about it. You should repent to Allah for that and send the watch to the president of the High Court in Makkah informing him of the truth. You should give him a copy of this Fatwa to take the necessary action regarding it, in accordance with the instructions of the court with regard to objects found in Al-Haram.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 15625

Q 2: I drove to Makkah Al-Mukarramah and parked my car in

a parking lot. Upon returning, I found on the hood an electric machine worth about 150 riyals and nobody asked about it. I told some people about it and they asked me for it, am I sinful? Please, explain. May Allah guide you to all good. Amen.

A 2: If the case is as you mentioned and you failed to find the real owner of the machine, it was obligatory on you not to take a Luqatah (a lost item found by someone else) in Al-Haram unless with the intention of making a public announcement of it. Anyway, you have taken it. Therefore, you have to get it back from the people who took it and to announce it. If you are unable to do so, you should deliver it to the High Court in Makkah and they will give it to the committee for lost things in Al-Haram.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 17654

Q: My father accompanied my grandfather, may Allah have mercy upon him, to perform Hajj in Makkah Al-Mukarramah. My father dwelt in a tent with some of his friends. Once, he went out to bring water he found a lady's handbag. He took it and entered the tent. He found in it 500 Saudi riyals, some documents

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and the passport of an Egyptian lady. He decided to give the bag to the neighboring Egyptian tent, but some bad friends recommended him to take the money and he did. Then, before returning to Yemen, he put the handbag in a bus of Egyptian pilgrims. This happened 20 years ago. Now my father wants to return this money but he does not know the address of the woman and he decided to give this money to a mosque to supply it with water. However, 100 Saudi riyals now equal 4200 Yemeni riyals, should my father, who is wealthy now, give this money in charity estimating its value at the time when he took it? At the time, 100 Saudi riyals equaled 130 Yemeni riyals. In addition, where should he spend that charity? Answer us, may Allah reward you with the best!

A: Your father was mistaken by taking the handbag and what was in it, because a Luqatah (a lost item found by someone else) in Al-Haram is not to be picked up except by someone who will make a public announcement of it. However, a long time has gone by and it is hopeless to find the owner of the money, so it is obligatory on your father to give the money in charity to the poor of Al-Haram on behalf of its owner and to repent to Allah for that.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	\`Abdul- \`Aziz Al Al-Shaykh	Salih Al-Fawzan	\`Abdullah ibn Ghudayyan	\`Abdul- \`Aziz ibn \`Abdullah ibn Baz

The sixth question of Fatwa no. 18252

Q 6: A few years ago, I found, in the yard of Al-Haram (the Sacred Mosque in Makkah), 1000 riyals. I searched for the owner but nobody answered. I decided to give it in charity on behalf of its owner. After I performed Tawaf-ul-Wada` (circumambulation of the Ka`bah on leaving Makkah) and left Al-Haram I purchased some fruits from Makkah, using half of this money. On the way back, I distributed the fruits among the travelers with me. Is my Hajj incomplete? I heard that a pilgrim who has performed Tawaf-ul-Wada` is not allowed to buy anything from or spend the night in Makkah.

A 6: The Luqatah (a lost item found by someone else) found in Al-Haram must be announced until it reaches its owner and it is not to be owned by announcement. If someone did not make a public announcement of a Luqatah, they must give it to the authorities in charge of Al-Haram lost objects. You made a mistake by taking this money. You should return it to the authority in charge of Al-Haram lost objects and to repent to Allah Almighty for that.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21204

Q: A man has been in Makkah and while he was there he found

a collection of golden ornaments. He sold them and made use of their price because he was ignorant of the ruling of Luqatah (a lost item found by someone else) in Makkah. Now he knows the ruling and he is regretful and wants to repent to Allah and acquit himself of what happened. How should he do that, taking into consideration that this happened several years ago? May Allah benefit Islam and Muslims with you! Amen.

A: This man made a mistake, because the Luqatah in Al-Haram (all areas within the Sacred Sanctuary of Makkah) is not allowed to be picked up except by someone who will make a public announcement of it. However, he did that ignorantly, so it is obligatory on him to give its value in charity to the needy people in Al-Haram on behalf of their owner and to repent to Almighty Allah for that.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of Fatwa no. 17275

Q 2: Someone asks: After finishing their Hajj, some pilgrims leave some of their belongings in Mina, such as thermoses, portable gas stoves. What is the ruling on taking them as their owners left them and went away? Do these objects take the ruling of Luqatah (a lost item found by someone else) in Al-Haram (the Sacred Mosque in Makkah) or are they different? In addition,

what about the shoes left in Al-Haram? Is it allowable to take some of them instead of the shoes that one has lost?

A 2: It is permissible to take instruments, utensils and clothes if their owners left them willingly. Yet, if their owners forgot them or will return to collect them, it is not allowable to take any of them and the authority in charge of lost objects in Hajj should be reported.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 20807

Q 2: Because of the large number of sellers and buyers, some customers forget books which they bring to sell. As we did not agree with them on a price or they bring them for us to check them (the books) but time passes, days, months and sometimes they never return: What do we do with these books? Should we sell them or not? What if we do not know their owners, or do not see them again while we do not know their names or addresses? What should we do with these books among which some are valuable and others are not? Other customers may forget some riyals and hallalahs, so what should we do with them as we find them inside the books after purchasing them from customers? What is the ruling on this

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money? Is it ours or should we give it in charity?

A 2: If some customers forget something with you and a long time passes without knowing their address and they do not return, you should give it in charity on behalf of their owners. By doing so, you will be discharged from obligation In sha'a-Allah (if Allah wills).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Foundling

Fatwa no. 15308

Q: A woman took home a female infant child from one of the hospitals in the Kingdom (of Saudi Arabia) to bring up as her child. She raised the child and whenever someone asked about her she would say that she is her daughter. The young girl herself considered the woman her mother, the woman's husband as her father and her children as her brothers and sisters, etc. What is your opinion regarding this? Does she have the right to inherit? Is it permissible for the children of this woman to marry this girl? Appreciate your guidance, may Allah guide you.

A: Adopting and bringing up foundlings upon good manners and Islamic etiquettes is a noble act. It is hoped that one who does so will be greatly rewarded, but such a child shall not be regarded as a daughter or a son and does not inherit from those who bring them up. It is permissible for the son of the person who raises a female foundling to marry her through the courts if there has been no legal breastfeeding from her or anything else that prevents marriage.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 14511

All praise is due to Allah Alone. May peace and blessings be upon the last Prophet.

The Permanent Committee for Scholarly Research and Ifta' has reviewed the letter sent to the Grand Mufty from the judge of Harub Court no. 683, dated 22/11/1411 A.H., which was referred to the Committee by the Secretariat General of the Council of Senior Scholars no. 4948, dated 28/11/1411 A.H. His Eminence, the judge, asked the following question:

A woman submitted a request to conclude a marriage contract with her fiancé. We concluded the marriage contract for her under our guardianship in document no. 81, dated 11/10/1410 A.H, because she was an illegitimate child. A document to this effect was issued, no. 81, dated 11/10/1410 A.H. to Sabiya' Personal Status Administration, asking to include the woman on his identification card as her husband. We completed the procedures for him and he enclosed along with the papers a letter from the chairman of Social Affairs in the Southern Province, no. 290, dated 29/2/1411 A.H., reading: "In the case of, this woman can she be given the name (...) in order to add her name to the husband's ID card." Finally, all the documents were submitted to us, no. 13466, dated 9/11/1411 A.H.; in addition to the letter which including the request of Sabiya' Personal Status Administration to change the name of the woman so that her name becomes

(...). We hope you will explain whether it is permissible to change her name according to the document of the Personal Status Administration from (...) to (...). Please, give us Fatwa (legal opinion issued by qualified Muslim scholar) on this matter. May Allah reward you with the best and guide your footsteps.

After examining the Fatwa request, the Committee replies that if the reality is as mentioned, it is not necessary to change the content of the ID card as long as it attributes this woman to her mother.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 14063

Q: Many misguided Muslim youth who work in France have illegal relationships with women and make sexual intercourse with them outside the bond of marriage. Some have children and after that they return to Allah in repentance. What is the ruling on a Muslim who has five children from a woman with a legal marriage contract? Are they attributed to him as being their father? I should mention that the children are his, but not through marriage. The woman considers him her husband as their man-made law allows such prohibited relations as long as the woman consents.

A: The children who descended from him before the marriage contract are not attributed to him but to their mother. It was authentically reported that the Prophet (peace be upon him) stated: (The child is for the (owner of the) bed and for the fornicator

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is loss.)

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 14883

Q: I was sent by a governmental institution to study abroad after receiving my secondary certificate. I followed in the footsteps of Satan and became acquainted with a young girl. We were together a number of times, then I finally abandoned all of this. Four months later, I heard that she was pregnant and she claimed that I was the father of this child. (After she gave birth) I noticed that the child resembled me and everyone who saw him maintained the same. I have no doubt about the child being mine. This has disturbed me greatly and represents a bad past for me. Now, I want to marry but whenever I remember this girl and the child I become extremely sad, because of the bad reputation of this girl who is the mother of my child. I cannot bring this young woman here and marry her, because it is not permitted here to marry foreign girls, in addition to other reasons. Should I forget about her and the child and marry another woman or bring them here? Appreciate your guidance, may Allah reward you with the best.

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A: First, you must repent to Allah for this immoral act and increase your good deeds so that Allah may replace your sins with good deeds.

Second, the child who this young woman gave birth to is not attributed to you but to her. You are not responsible for his provision. However, there is nothing wrong in doing good to him as a righteous deed.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 14014

Q: I am a 24-year old man studying in America. Two years ago, I met an American girl and after few days I had sexual intercourse with her. Our relationship continued for a while and she became pregnant. I did not care and we continued our relationship until she delivered a female baby. Now, the child is a year and half old and lives with her mother. Dear respected Shaykh, I do not know what to do in this case, and I do not know the ruling of Islam on it. Should I marry this girl? Is the child attributed to me or to her mother? Should I leave her, return to Saudi Arabia, repent to Almighty Allah and forget everything?

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Dear Shaykh, please answer me as soon as possible. I should mention that I will do whatever you say, but I am totally concerned with the child's future. I am very confused and fear doing something which I will regret the rest of my life. Please, give me a clear answer. May Allah reward you with the best.

A: First, you have to turn to Allah in repentance for the crime of Zina (sexual intercourse outside marriage) which you committed, increase your good deeds and acts of obedience and avoid sins and bad company.

Second, the child, which came from Zina, should not be attributed to you but to her mother.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The fifth question of Fatwa no. 16843

Q 5: A man works in France and has a daughter which is not an upright Muslim. She left the house of her father and complained to the French authorities. He went to court and she remained in their custody for months and finally he received her, praise be to Allah. He returned her to their home country and left her at his brother's who would provide for her. A few months later, she left

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her uncle and the whole country. Then, she returned bearing an illegitimate male child. Her uncle and all her relatives refused to receive her, and her father told her that if she wanted to remain under his guardianship, he would send her money to be with her uncle but he would not accept the child. However, she refused to forsake her child while her father rejects her baby. What is your answer? Is the father wrong? What is the way out?

A 5: The aforementioned people should protect their daughter and command her to repent to Allah for what she committed. They should hasten to marry her to a righteous man who will take care of her. As for the child, she will be her son and they should be keen to bring him up correctly, and Allah forgives those who repent to him.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 17230

Q: One of my relatives found a baby, whose age at that time was just a few hours old. She informed me about this; and she is poor, trying to earn her living by hard work. Thus, I decided secretly to do the following: I talked to my wife in this respect and agreed to bring up and adopt the baby,

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seeking the satisfaction of Allah. Allah (Exalted be He) will provide us with the means of subsistence for bringing up this baby, who is not to blame for this horrible crime. I feared that the baby may become ill-bred and fall into the trap of sin and perversity. Allah (Exalted be He) knows best that I had a good intention; and did not know at that time from the Qur'an about adoption except the Ayah (Qur'anic verse), in which Allah (Glorified and Exalted be He) speaks about His honorable Messenger (peace be upon him): ﴿Muhammad (صلى الله عليه وسلم) is not the father of any of your men, but he is the Messenger of Allâh and the last (end) of the Prophets.﴾

As far as I knew at the time, this Ayah is only related to the Prophet (peace be upon him). I registered my name as the father of the baby lest the baby should be looked at in a disgraceful way. I did not register either in the police reports or in any other documents that this baby is my adopted son. After nine years, Satan started to insinuate my wife that this boy is actually my son from another wife. Row triggered between us, and she claimed that she wanted to know the permissibility of having this boy among us, and the legal opinion regarding this matter. It is worth mentioning that she breast-fed him three months after weaning her son. However, the baby was not able to suck at her breast, and she dropped milk into his mouth more than once. Now, after nine years and the problem has become severe, I could not prove that this baby is my adopted son, because

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he is registered in the official documents as my son. I hope you will reveal to me and to my wife whether what we did is Haram (unlawful), for which we will be accounted, even though I did not know and had a good intention seeking only Allah's Consent. I hope you will tell me what to do and the child is now nine years old, and all of the people and his brothers know that he is my son. Please inform us by an official letter so I can live peacefully with my wife. May Allah benefit you.

A: Bringing up the foundling and being benevolent toward him is a good deed for which you will be rewarded. However, adoption is neither valid nor permissible; and the child is regarded as Ajnaby (a man other than a spouse and unmarriageable relatives), and your wife should be veiled in front of him. However, if your wife breast-fed him five times in the first two years of his age, he becomes your son through breastfeeding ties. You should refer to the legal court to finish the related matters. And Allah knows best.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family

and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 16980

Q: I adopted an illegitimate child from the hospital and ignorantly registered his name along with my children on my ID card. I named him `Abdul-Rahman and my wife suckled him. Later, I learned that what I did was contrary to Allah's Shari`ah and the Sunnah of our Prophet (peace be upon him). Please, clarify for me the status of this son. What should I do in order to correct right

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what I have done? I should mention that I do not want to renounce him, because I consider him one of my children and he is now 16 years old.

A: The aforementioned child is your son through breastfeeding ties if your wife breast-fed him, during the first two years, five times or more. However, it is not permissible to register him along with your children as being your son. It is obligatory on you to go to the authority concerned and have his name removed from your ID card and have an ID card issued for him. This may include `Abd such as `Abdullah, `Abdul-Rahman or the like.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 17910

Q: About 20 years ago, my sister married a man and I was young at that time. She immediately became pregnant, but only Allah knows if the child was from her husband or someone else. Consequently, the husband disowned the child and they were referred to the courts where they were given a legal ruling. There were witnesses and Li`an (allegation of adultery against a wife, accompanied by mutual invoking of Allah's Curse/Wrath if lying) and the matter was finally resolved.

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The point is that my father adopted the child and attributed him to his name. Hence, the child became my brother and an uncle of the children of his mother who are actually his brothers and sisters. My father did so with good intentions so that the child would not be taken to a foster care home. He thought that doing so would provide care for an orphaned child. However, the child grew up and is now a young man. My father registered him along with the family and an ID card was issued for him in my father's name. A lot of people do not know that he is not my father's son, and it is known that Islam prohibits giving an orphan one's name.

I hope you will explain the proper and legal way to correct the status of the family and safeguard it against mixture of lineages. I told my children that the young man is not related to them, but they find this odd, because he has the same name of our father. I am confused, as my father is still alive and I fear that if we pass away while these young children do not know the truth about him and his offspring as their Mahram (spouse or unmarriageable relative) while in fact they have no relation to him. Appreciate your guidance, may Allah reward you with the best.

A: The child in question should be attributed to his mother and your father is regarded as his maternal grandfather. It is not permissible for your father to adopt the child due to the

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bad consequences. You are considered his maternal uncle, but your children are regarded Ajanib (men other than spouses and unmarriageable relatives) to him. Regarding the formal procedures, you should ask the authorities concerned to correct the situation.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21145

All praise is due to Allah Alone. May peace and blessings upon the Prophet.

The Permanent Committee for Scholarly Research and Ifta' has read the letter sent to the Grand Mufty from the designate undersecretary of the Ministry of Labor and Social Affairs no. 8351, dated 16/3/1420 A.H. The letter was referred to the Committee from the Secretariat General of the Council of Senior Scholars under no. 2444, dated 25/4/1420 A.H. and His Eminence asked the following question: "You know that the ministry is concerned with providing institutional and social care services for people with special needs, who descend from anonymous fathers or through adultery. They should be given suitable and common names known in our community as their legal right.

There was a previous Fatwa by

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the former Mufty, may Allah have mercy upon him, which stated that the second and the third names must begin with `Abd, which was observed in this regard. The actual application of this Fatwa for many years has put us into the difficulty of the resemblance of names. Some people thought they were relatives. We are trying to avoid this, but we face another difficulty which is the use of names that begin with `Abd but are not common in Saudi society, thus leading some of those who had these names to complain. They maintained that their names indicate their real social status in schools, hospitals, summer centers, etc.

The aim of the Fatwa, as the former Mufty put it, was meant to console those facing these conditions. Moreover, names which do not begin with `Abd and Al are consistent with the reason for the Fatwa - that is, the names must not be related to anyone and, at the same time, avoid the difficulty which innocent children experience apart from their social status. It goes without saying that making them happy and alleviating their difficulty is obligatory on us. It is known that whatever is required for fulfilling an obligation is obligatory in itself. Thus, you may view nothing wrong with canceling the stipulation of choosing names beginning with `Abd, because of the aforementioned reasons and allowing the use of a quadruple names

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that are common in Saudi society.

In addition, we want to know if it is permissible to include this category in the directions of the Crown Prince in his order no. M/385/7, dated 21/9/1418 A.H., which includes his confirmation on registering the names with Ibn or Al to the names in all kinds of correspondence and in schools. Excluding them from this may expose their social status in the society.

Finally, we want to know the Fatwa (legal opinion issued by qualified Muslim scholar) on the permissibility of changing the names of two children who were cared for by a surrogate family and were breast-fed by the same woman so that they became brothers

through breastfeeding ties. The nursing mother asks that their second, third and fourth names be identical in order to further console them and alleviate their suffering.

We would like to inform you that there was a meeting with the late Shaykh `Abdul-`Aziz ibn `Abdullah ibn Baz **shortly before his death in which Dr. Salih Al-Waniyan, a professor at the Islamic University of Imam Muhammad Ibn Sa`ud in Al-Qasim, asked him about the bad results of limiting names to that beginning with `Abd, as mentioned in His Eminence's Fatwa. After some discussion, he answered that this Fatwa could be changed if it would be sent back for review. We prepared the letter but**

Allah destined (his death) before it was handed to His Excellency, may Allah have mercy upon him. May Allah help you spread knowledge by which He elevates your status."

After studying your Fatwa request, the Committee states the following:

1- Among the ways of benevolence in the Islamic Shari`ah is to provide for illegitimate children whose lineage is unknown. It is commendable to be good to them, safeguard them, bring them up in an Islamic manner and teach them the obligations and etiquettes of our faith. This carries great reward for those who care for orphans. The Prophet (peace be upon him) stated: ("I and the one who looks after the orphan are in Paradise like this." And he (peace be upon him) pointed with his index and middle fingers, then separated them.) (Related by Ahmad, 335-6; Al-Bukhari, 178-6 and 76-7 from a Hadith narrated by Sahl Ibn Sa`d (may Allah be pleased with him); Ahmad, 375-2; and Muslim, 2287-4 no. 2983 from a Hadith narrated by Abu Hurayrah (may Allah be pleased with him). (The Hadith is agreed upon by Al-Bukhari and Muslim)

2- Among the legal rights of a child of unknown parentage, such as an illegitimate child, is to give it a good name, but the name must be Islamic and does not contradict the rulings of the Shari`ah regarding naming a child.

3- It is permissible to give him a father's name, such as `Abdullah and similar names that begin with `Abd or other names such as Hasan, Khalid, etc.,

names which do not disagree with the rulings of the purified Shari`ah.

4- It is not permissible to attribute an illegitimate child to a family or a tribe as this is lying, deception and obscurity as well as the result of confusing lineages. Also, it is not permissible to attribute the child to another illegitimate person. It is reported on the authority of Abu Dhar (may Allah be pleased with him) that he heard Allah's Messenger (peace be upon him) saying: (Any man who knowingly attributes himself to someone other than his father is guilty of Kufr (disbelief).) (Related by Muslim) Al-Bukhari added in his narration: (Anyone who claims to belong to some folk to whom he does not belong, let him take his place in Hellfire.)

5- It is not permissible to adopt a child with unknown linage, such as an illegitimate child because of Allah's statement: (nor has He made your adopted sons your real sons.) and: (Call them (adopted sons) by (the names of) their fathers: that is more just with Allâh. But if you know not their father's (names, call them) your brothers in faith and Mawâlîkum (your freed slaves).) Therefore, it is not permissible to attribute an illegitimate child, male or female, to his caregiver because it is prohibited and a major sin. Some people register those children on their ID cards and family cards, but this is blatant forgery and transgressing the limits of Allah. In addition, this includes lying to those in charge in the government, which

is unacceptable. It should be mentioned that this registration establishes neither lineage nor inheritance from the one to whom the child is attributed. Whoever has done so should hasten to repent to Allah and set things right.

6- There is nothing wrong in issuing ID cards for orphans and providing them with triple names and fathers' names with the term "Ibn" [son (of)] being in-between to correlate between their names and nicknames. This may also include attributing their names to the place where they were found, because this is a great consolation to them.

7- If a person raises more than one illegitimate child, it is not permissible to make the names of their fathers and grandfathers identical, because this involves deceptive brotherhood in lineage, dishonesty and other bad results in lineage and inheritance, thus resulting in great harm.

8- It is obligatory on a caregiver to inform the child of unknown lineage after reaching the legal age. The child is to be told that his provider is Ajnaby (a man other than a spouse and unmarriageable relatives) and is like other people with regard to gazing (to marriageable women), Khulwah (being alone with a member of the opposite sex), wearing the veil for women and similar rulings.

9- If the child was breast-fed (by the wife of the caregiver) he will be Mahram (spouse or unmarriageable relative) to the woman who suckled him as well as her daughters, sisters and others who are prohibited by lineage.

10- It is not permissible for a caregiver of a child of unknown parentage to conceal the child's true status; rather it is obligatory to inform him and to alleviate his distress by telling him that this is common and that it has no effect on his faith if he correctly adheres to path

of Almighty Allah.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	\`Abdullah ibn Ghudayyan	\`Abdul-\`Aziz ibn \`Abdullah Al Al-Shaykh

Gifts

Fatwa no. 18531

Q: My daughter earns less than her sisters, and her husband is also poor. His salary does not exceed 2,000 riyals, while the husbands of her sisters are well-off. Her husband has an old car that does not adequately serve them. I want to buy a car for my daughter and her husband, because they owe a long-term debt on the home they built, in addition to their children and the orphans of his deceased brother. While the financial conditions of her sisters are better than hers, does this disagree with the Hadith of Allah's Messenger (peace be upon him): (Be afraid of Allah, and be just to your children.) **or not?**

A: If the reality is as you mentioned, there is nothing wrong in purchasing a car for your daughter's husband or helping him to buy it. As for your daughter, you should not favor her with something over her sisters, because her sustenance is incumbent on her husband.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21560

Q: A man with three sons built a house but only two of the three contributed to it, while one

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who had some health and financial troubles could not. Later, his condition improved and he built a special house for himself. After some time, the man wanted to give the building to his sons, how should it is divided among them?

A: If the contributions of the two sons were a kind of donation to their father, then the house is owned by the father and it is impermissible for him to single out some of his children by giving it to them. The Prophet (peace be upon him) stated: ﴾Fear Allah, and be just to your children.﴿

If their contributions were not donations but a share in the building, it is permissible for the father to give them from the building what equals their contribution, even if he does not give anything to other children, because this is their right and share in the building. As for what exceeds that, the father should give it to all his children.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second and third questions of Fatwa no. 21502

Q 2: Is it permissible for me to pay the costs of repairing a house after agreeing with the youngest son that he would pay off the bank and own the house? Do I have to give his brothers the same amount that I give him for the cost of repairs?

A 2: If you cover the cost of overhauling the house, which he agreed to pay, there is nothing wrong in this.

Q 3: What do I do with the price of the two pieces of land on which a house and an annex are built? Their value is 59,000 riyals. Is it permissible for me to relinquish them to him? Do they belong to the inheritors after my death and must he give back the land to them? Should he give it to me right now? If I, his brothers and sisters cede the land to him, am I discharged of the responsibility? What should I do?

A 3: It is impermissible for you to cede the aforementioned land or any part of your money to one of your sons to the exclusion of the others, as this is injustice and is forbidden by Allah's Messenger (peace be upon him). However, if his brothers, who are legally accountable, relinquish it, there is nothing wrong in giving it to him.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of Fatwa no. 21671

Q 2: I want to give my sons and wife part of my property, how should I distribute it among my male sons and two daughters? The males are 24 and 8 years old and the females are 3 and 8 years old, plus my wife. The property

includes a basin, the first floor consists of four flats and the second floor consists of three flats.

A 2: If you give all your children, a male takes twice as the female, there is nothing wrong in this. The Prophet (peace be upon him) stated: ﴾Fear Allah, and be just to your children.﴿

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The first and third questions of Fatwa no. 21251

Q 1: About 20 years ago, I bought a piece of land in Makkah Al-Mukarramah for 20,000 riyals from my money but I registered it in my wife's name as a gift for passing 20 years of our marriage. At that time, I had 5 daughters and a son in addition to my mother who was still alive. Sixteen years ago, I expressed a wish to marry another woman. What mattered is that my current wife had borne my bad conditions patiently when I was poor and of limited income which I would spend on my mother and orphan brothers and my family. I gave her one million riyals and registered her as a partner in a company I established with somebody on the condition that she agrees to my marriage to another woman. However, she rejected the idea of the second marriage and said that all the treasures of this world would not make her relinquish

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even the trimmings of my nail and if I married another woman, she would leave the house. I had at that time the same number of daughters, my son and my mother and I found great opposition from my daughters so I abandoned the idea of marriage but I kept the money in the company registered in her name. Then, three years later and all of sudden, my son died and after sometime my mother also passed away, may Allah have mercy on her. I had three full brothers and a half brother. Am I sinful in what I gave to my wife?

A 1: Whatever you gave to your wife, whether it is money or anything else during your life, is permissible and becomes a possession of your wife.

Q 4: When Al Rajhy Bank was established, I bought a number of shares in my name and my wife and daughters. After privatization, I registered all the shares in my name. Yet, because my wife contributed to part of the value of these shares, I transferred all the shares to her name. What is the ruling on that?

A 4: If the transfer of shares took place with the approval of those who have rights and they relinquished their rights, there is nothing wrong in this.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

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Fatwa no. 21059

Q: Some interest-based banks give calendars, pens, medals and other gifts to people and government agencies at the beginning of each Hijri (lunar) year and the occasions of these banks. In addition, the bank employees give these things to the bank clients and their friends. My question: Is it permissible to take these calendars and gifts whether from the bank or its employees? Appreciate your answer, may Allah preserve you. As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: The gifts given by banks to their clients and depositors must not be accepted, because they are involved in interest-based investments. As for the gifts distributed by the bank to other than its clients, here is an attached Fatwa (legal opinion issued by qualified Muslim scholar) in this regard - no.16184,which states the following:

His Highness, Ambassador of the Kingdom of Saudi Arabia in United States, invited private sector institutions to take part in financing scholarships for Saudi students, who are studying at their own expense. The institutions, which presented scholarships, included interest-based banks. Is it permissible for students to accept scholarships from these banks?

A: The money presented from usurer, whether a bank or anyone else known

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as a usurious source, is impermissible to take or use. This is considered consumption of Riba (usury/interest), which is forbidden in the Qur'an and Sunnah (whatever is reported from the Prophet). Almighty Allah says: (O you who believe! Consume not Riba (usury)) Allah has cursed those who consume Riba, those who pay it, the two witnesses and the one who records it. If one does not know that the source of money is Riba, because its donor deals in both Riba and lawful transactions, the basic ruling is permissibility.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Will

The second question of Fatwa no. 21600

Q 2: It is said that if a person dies without leaving a will, they do not speak to the dead. Is this correct?

A 2: This is an invalid, baseless belief. A will of some money to be distributed in charitable ways after the death of someone, is Mustahab (desirable) and they will be rewarded by Allah (Exalted be He). It is Mustahab not Wajib (obligatory), i.e. doing it is rewardable but neglecting it is not punishable.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21602

Q: I want to bequeath a fifth of my property to my young grandchildren whose father passed away and they are young. I hope you will give me Fatwa (legal opinion issued by qualified Muslim scholar) on this matter.

A: It is permissible for you to bequeath to your grandchildren, whose father died, a third or less of your property, because they are not your inheritors. Thus, there is no prohibition on this.

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of Fatwa no. 21414

Q 2: If a deceased person bequeaths that a third of their property be given for charitable deeds, is it permissible for the supervisor or the administrator of the will to take from this third in return for his services? Is it permissible for the administrator to add this third to his money if he is in need, or must he execute the will according to what is stated in it? Is this third considered as Waqf (endowment)? Appreciate your Fatwa, may Allah reward you with the best.

A 2: If someone dedicates a third of their money and specifies the ways in which it is to be spent and assigns someone to execute the will, it is obligatory on the executor to carry out the will according to what the testator states of legal ways. If the testator assigns part of the third (of the property) as fees for the administrator, this part becomes a right for him. If the deceased does not allot an amount but there is a customary fee that is customary taken by the executor, it is permissible to take it. If there are no customary procedures providing for this, the executor shall consult a legal official to define his fee.

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The third question of Fatwa no. 21568

Q 3: I give a charity on behalf of my father in accordance with his will. Is it regarded as Sadaqah Jariyah (ongoing charity)? I should mention that he would do it on the fifteenth night of Sha`ban, because he did not know that it is Bid`ah (innovation in religion). However, I changed it and would do it once in Ramadan and again on the `Eid-ul-Adha (the Festival of the Sacrifice, on 10th of Dhul-Hijjah)? Is it regarded as Sadaqah Jariyah for him? What is the best charity on behalf of the deceased? Is it permissible to initiate a new charity on behalf of him and he takes its reward as Sadaqah Jariyah? Appreciate your answer, may Allah reward you with the best.

A 3: What your father bequeathed is considered charity. You did well in changing its time from the Mid-Sha`ban night and you are rewarded for that. Whatever you give in charity on behalf of your father, he takes its reward.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

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Fatwa no. 18578

All praise is due to Allah Alone. May peace and blessings be upon on the last Prophet.

The Permanent Committee for Scholarly Research and Ifta' has read what was sent to the Grand Mufty from the Assistant Chief of Al-Qasim Courts no. 2/1457, dated 4/8/1416 A.H., which was referred to the Committee from the Secretariat General of the Council of Senior Scholars no. 3876, dated 8/8/1416 A.H. The questioner asked:

I would like to inform you that Salih ibn Hamad ibn `Abdul-Muhsin Al-Tuwaijry presented a request to me to establish a mosque and a dwelling for the Imam (the one who leads congregational Prayer) and the Mu'adhin (caller to Prayer) in Buraydah from the funds assigned for the will of his father. Find attached a copy of the will. His father mentioned in his will: "I bequeath a third of my property for the establishment of one or more Masjids (mosques), etc..." However, this raises a problem whether it is permissible to build dwellings for the Imam and the Mu'adhin, which was not mentioned in the will, yet it has become necessary. Must we be limited by the will? I should mention that the location of the mosque is suitable and in need for a mosque, and the land designated for the mosque is sufficient for the mosque and the dwellings of the Imam and the Mu'adhin. Moreover, the owner of the land stipulated that in order to build a mosque, it must include two houses for the Imam and the Mu'adhin.

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I hope you will read this and inform us, may Allah safeguard and care for you.

After studying the Fatwa request, the Committee answers that there is no objection on building dwellings for the Imam and the Mu'adhin from the will of the man who bequeathed funds to build a mosque or a number of mosques from a third of his property. This is because the residence of the Imam and the Imam is among the necessary facilities of the Masjid.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The third question of Fatwa no. 20920

Q 3: My aunt raised her nephew until he was grown and helped him to marry. She has also helped her daughters get married. She is a widow and has three daughters, all of them are married. However, some misunderstanding took place between her and her nephew so that she drove him out of her house. My aunt is now 57 years old and has a good house, while her nephew has only one room and his mother is deceased. He has half brothers, but he does not live with them, although he visits them from time to time. What is your advice to her? Should she bequeath this house to him or not? I should mention that if she does not do so, he will have to leave the room, in which he lives, for her inheritors? Appreciate your guidance.

A 3: This woman may make a will to allocate part of her house for him, if she likes, on condition that her will does not exceed a third of her property.

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20985

Q: My husband passed away and left no inheritors except me. I want to make a will from his estate and from my money which I inherited from him. What is the ruling on this?

A: Your prescribed share of inheritance is a fourth of what he left and the rest of his estate belongs to his `Asabat (agnate heirs). If he has no relatives, the matter shall be referred to the Shari`ah court. However, you are allowed to bequeath a third or less of your property.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 1077

Q: A man passed away after he made a will to use a third of what he left in offering Ud-hiyah (sacrificial animal offered by non-pilgrims) on his and his parents behalf. However, some money remains from the third after offering the Ud-hiyah and his son asks whether he should offer another Ud-hiyah or distribute the rest among inheritors?

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A: If the reality is as you mentioned with regard to the remaining part of the third of his father's will, then the ruling is as follows. If the son is the administrator of his father's will and there is no legal determination regarding what may be left after offering the Ud-hiyah, such as giving the rest to certain institutions or persons, then the remainder of the third should be spent in charitable ways, such as participating in building mosques and furnishing them or paying the remaining money in charity to the needy. If he has some poor relatives who are in need of charity, they are more deserving to take from the rest of the third.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	Ibrahim ibn Muhammad Al Al-Shaykh

Waqf

Fatwa no. 21268

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets.

The Permanent Committee for Scholarly Research and Ifta' has read what was sent to the Grand Mufty from His Excellence, Judge of the High Court in Makkah, Shaykh Ahmad ibn Hamad Al-Mazru`, no. 9/83/3/3545, dated 11/9/1420 A.H., which was referred to the Committee from the Secretariat General of the Council of Senior Scholars no. 4934, dated 16/10/1420 A.H. His Eminence asks the following question:

We would like to show Your Eminence the following question: A woman presented a request to the court to register her dedication of a building to Waqf (endowment), the legal ways of using this Waqf and its executor. These things were legally registered according to a document registered under no. 9/8/115, dated 23/5/1414 A.H. Then, she made a motion through her attorney registered under no. 9/225, dated 7/9/1420 A.H. to change the legal ways of using her Waqf different from what was stated in the first document. She wants to devote her Waqf to an organization for teaching the Glorious Qur'an in Makkah al-Mukarramah ...etc. Is it allowable to accept her request regardless of what was mentioned?

We hope you will read this and give us Fatwa (legal opinion issued by qualified Muslim scholar) regarding this issue. Enclosed are copies of the documents. May Allah help you and guide your footsteps.

After studying the Fatwa request, the Committee maintains that the Waqf should be kept to the first specified ways of using it. It is not permissible to change it to other ways, because it is an effective Waqf, which has been executed and has become out of the Waqf donor's possession. Its benefits are restricted to what it has been specified for in accordance with the document. Thus, it is not permissible to do anything else with it.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20807

Q 1: I see some books in bookshops where some phrases like "endowment for the sake of Allah", "given as a gift and not to be sold", "distributed by a charitable organization", "distributed by a governmental organization", "personal gift from ... to ...", "gifted by a governmental organization" and "distributed by a governmental administration" are written. Is it permissible to purchase these books from their owners like other books that do not have these phrases without informing him of that? Or should I inform him of these phrases; and if he gives me the choice, will I take it for personal use to read it; or should I give it to those in need of it? Please, answer in detail.

A 1: If there is any phrase on the book indicating that it is Waqf (endowment), such as "endowment for the sake of Allah", "given as a gift and not for sale sold", and "distributed by a charitable organization" it is not allowable to sell or purchase it. If the book has a phrase indicating that it is a gift or that it is distributed free of charge, it is not Waqf and there is nothing wrong in selling and purchasing it.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20779

Q: My father bought a piece of land beside the mosque of our neighborhood and gave it to the Ministry of Endowments and Islamic Affairs as a Waqf (endowment) to build a dwelling for the Imam (the one who leads congregational Prayer) of the mosque on it. My father, may Allah preserve him, asked the ministry to build a two-floor villa and the Ministry agreed and completed a big part of the house. However, a Muslim brother donated a sum of 50,000 riyals to complete the building, on the condition that there should be Fatwa (legal opinion issued by qualified Muslim scholar) by a Shaykh whether his deed is Sadaqah Jariyah (ongoing charity) or not?

Appreciate your answer, may Allah reward you with the best. Note that we are in need for this money to complete the house.

A: Whatever this man contributes to completing the Waqf of a dwelling for the Imam of the mosque

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is considered Sadaqah Jariyah. He takes a reward equal to what he contributes, In sha'a-Allah (if Allah wills) because the dwelling of the Imam and the Mu'adhin belongs to the mosque and among its most important facilities. Moreover, everyone who participates in building this house will take reward for what they do, In sha'a-Allah.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	\`Abdul-\`Aziz ibn \`Abdullah Al Al-Shaykh

The fourth question of Fatwa no. 21488

Q 4: My father died and had 15 or 20 goats belonging to his mother, but we do not know how many there are exactly. In addition, we cannot identify them from the other goats. Please take into consideration that my father used to pay Sadaqah (voluntary charity) for her every year. What is the ruling on this?

A 4: You should identify the exact number of goats and take out the goats that were under the care of your father. You should increase the quantity of goats to pay Sadaqah for your grandmother if she mentioned this in her will. If not, you should do this according to what your father used to do.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21234

All praise is due to Allah, and peace and blessings be upon the Last of the Prophets, to proceed:

The Permanent Committee for Scholarly Research and Ifta' reviewed what was received by the Grand Mufty from the questioner, the Chairman of the Charitable Society in Darin, and referred to the Committee from Secretariat General of the Council of Senior Scholars, no. 5743, dated 22/11/1420 A.H. The questioner asked the following:

We hope you will give us Fatwa (legal opinion issued by qualified Muslim scholar) concerning the establishment of stores on the edge of the major cemetery in Darin from the southern and western sides. The cemetery is surrounded by main commercial streets. Thus, we are thinking of exploiting these two parts to use their income for the repair and maintenance of the Masjid (mosque) and cemetery in Darin only, taking into consideration that there are no graves under these parts according to the attached copy of the report, which was signed by the elderly men of the town. When the cemetery was fenced by the municipality, a wide piece of land separated the fence from the graves. This is the required place. Moreover, the cemetery is large enough, and exploiting these location will not affect its space. May Allah reward you with the best, and make you beneficial to Islam and the Muslims.

After the Committee studied the Fatwa request, it answered that it is not permissible to deduct any

piece of land from the cemetery either for the mentioned purpose or for any other one, and whether or not it includes graves.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21411

Q: I have a two-storey house in Khamis Mishit. I have eight daughters and four sons, to whom I would like to allocate this house as a dwelling for whoever of them needs it. I bought the house for 230,000 Saudi Riyals by legal tender. Please advise me, may Allah grant you success! As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: You are permitted to allocate the house on the basis you have mentioned. You may keep it or dispose of it during your lifetime according to your interests if you do not have any other property, and the heirs will then come into their legal inheritance after your death, may Allah do justice to you and them.

May Allah grant us success! Peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Inheritance

Fatwa no. 15366

Q: My father passed away, leaving my siblings and I a plot of land which we sold five years ago. However, my siblings have not received their share of the inheritance up to this day, since we are in need of this sum because we were in the process of building our house. All of my siblings agreed to defer dividing the estate until we have enough money to give them their share. At the time of my father's death five years ago, the share of each of my siblings was an amount of 1000 LE.

My question is: Is it permissible to give my siblings only 1000 LE? Please take into account that five years ago, this sum would have bought five carats of land, but today this is not possible as this same sum would only buy a refrigerator. Should I make it up to them and give my siblings the difference for the past years? Will I be doing them injustice if I give them the original sum of 1000 LE only? Please tell me what to do, may Allah reward you with the best!

A: You must give them their share in your father's estate in cash regardless of the difference in price.

May Allah grant us success! May Peace and Blessings be upon our Prophet, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21651

Q: My father passed away and left a sum of money equal to 50 000 Saudi riyals, a house put up as collateral for the Real Estate Development Fund and the value of which is 250 000 SR. The financial obligation due on the house is 150.000 SR. The heirs agreed to give the money my father left to a Masjid (mosque) as a Sadaqah Jariyah (ongoing charity). As for the house, we all agreed that one of us should pay the money due on it to the bank after which he will be entitled to the house and the rest of the heirs will waive their right to it in exchange for him paying off our father's debt. Please take into account that there are no minors among the heirs.

My question is: Is this permissible? Does this absolve my father of his debt? Will the debt be transferred to the person who undertook it upon himself to pay it off? If the person who will pay the debt is not currently in possession of this sum, is it permissible for him to pay the financial obligation upon the house, which is 150.000 SR in installments seeing as he intends to absolve our father of this debt? And will our father not be absolved of the debt until the whole sum is paid off or is it transferred to the heir who must pay it off according to the agreement between him and the rest of the heirs? Do the words of the Prophet (peace be upon him) apply to this situation, when a dead person was brought before him and he asked: "Is he indebted?" Whereupon one of the Sahabah (Companions of the Prophet) took it upon himself to pay off the debt and the Prophet (peace be upon him) said: "His soul will remain suspended until the debt is paid off." Does this apply to my father's debt?

A: First: If all the heirs, among whom there are no minors, waive their right to

the house for their brother in return for him settling their father's debt, there is no harm in this because this is their right.

Second: If your brother takes it upon himself to pay off the debt, he can choose to either pay it in installments according to the system implemented by the Real Estate Bank or choose to pay it off at once.

Third: If a person undertakes the responsibility to pay off the debt of a deceased person, then the deceased person is absolved of the debt and it is waived from upon him, but he is not totally absolved until it has been paid in full to the bank. There is no harm in deferring payment by paying it in installments this will not harm your father In sha'a-Allah (if Allah wills) because he has a right to deferment and because the debt involves a collateral.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20734

Q: A Christian man announced that he embraced Islam in order to marry an illiterate Moroccan woman who does not observe Prayers and knows nothing about her religion. This man used to traffic drugs and although his wife knew of his activities, she did not repudiate it because she did not know what is Halal (lawful) and what is not. After a few years of their marriage, she started to observe Prayers

and learn matters of her religion after which she started to object to his activities. And when the Mosque of the Custodian of the Two Holy Mosques, located at Jabal Tariq [Gibraltar], was inaugurated and the Da`wah (calling to Islam) spread and some Muslims who were immoral returned to the teachings of their religion, her husband started to frequent the mosque and pray and became a good Muslim. His wife became a righteous person, wearing the full religious attire of the prescribed Islamic Hijab (veil) and observing the teachings of her religion as much as possible. A year after this man started to pray sincerely, he passed away and left his wife a huge estate which includes several properties, huge sums of money and various business projects. He has only one daughter from this woman and his father is a Christian. His wife wishes to know the legal ruling on her husband's estate. She is now the owner of all of his estate and knows its source. We appreciate your quick reply, telling us what she is to do.

A: If the reality is as you mentioned that before his death, the husband became a better Muslim and observed his Prayers and desisted from trafficking drugs, then the matter is as follows: Islam abolishes all that preceded it and it is lawful for this woman and her daughter to take the estate of the deceased if he does not have a Muslim heir. If he does have an heir, he gets what remains after the wife receives her prescribed share of inheritance which is one eighth of the estate and the daughter receives her prescribed share which is one half, both of which amount to three out of eight equal shares. In the absence of an heir as mentioned above, the wife receives one eighth, which is one share out of eight equal shares and the rest

belongs to the daughter as an prescribed share. May Allah forgive us all!

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21601

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' reviewed the request received by His Eminence the Grand Mufty from an inquirer who works as a clerk at the Ministry of Justice at Al-Mujardah Province, Shaykh Shibily ibn Jabir `Asiry. The request was sent to the Committee from the Secretariat General of the Council of Senior Scholars in letter no. 4188, dated 13/7/1421 A.H. The text of the question reads as follows:

We present to Your Eminence the inquiry sent by citizen ... in which he mentions that his son passed away as a result of a vehicle accident, leaving behind his parents and pregnant wife. He was indebted with approximately 60. 000 Saudi riyals. The inquirer requests a Fatwa as follows:

1- Is it possible to settle the debt of the deceased from the Diyah (blood money) while the wife is pregnant?

The rest of the heirs are poor and cannot pay off this debt, therefore we hope that Your Eminence could give us a Fatwa on this matter. May Allah safeguard and protect you, Amen!

After examining the Fatwa request, the Committee answered that if the matter is as mentioned in the question then it is necessary to pay off the debt on behalf of the deceased from his estate or from the Diyya. Next, his will, if any, is to be executed and what remains afterwards is to be divided among the heirs through the Shar`y (Islamic legal) court.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21620

Q: I am the legal attorney for my siblings and grandmother, may Allah have mercy upon him. Praise be to Allah, I divided up my father's estate according to the division laid down by the Shari`ah (Islamic law). We receive an annual income of 27.600 Saudi riyals at the beginning of Sha`ban of every year. I sought the advice of someone for a Fatwa about the distribution of this annual income among my grandmother and siblings and he told me that it is to be divided equally among them. His Fatwa, may Allah guide him, was wrong and on Thursday 25/4/1421 A.H., when I was listening to a religious program that was hosting some Shaykhs,

the Shaykh was asked the same question and he replied that the division should be as follows: The male receives the equal share of two females. I had divided this sum equally among all of them for the past three years, namely in 1418 A.H., 1419 A.H., and 1420 A.H. Now, I am confused and hope that you could tell me how I should divide this sum and what to do about what I had previously divided among them. Please guide me and clarify this issue.

A: If the apartment building is Waqf (endowment), then the rent is to go to the beneficiaries stipulated by the person who made the endowment and in conformity with the Shari`ah. If the property was privately owned by the deceased, then the proceeds are to be divided according to the prescribed shares of each heir. You must rectify the past division and take the extra sums from those whom you have given more than their share and give them to those whom you have given less than their share unless they waive their right. In future, you must implement the accurate division of the proceeds, whether they are from an endowment or from inheritance.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21650

Q: We are five full siblings, two males and three females. We inherited from our maternal uncle who does not have any `Asabat (agnate heirs) .

(Part No. 11; Page No. 295)

My question is: With respect to this inheritance, is the share of a female one half of that of a male; or is it less than one half; or do they receive nothing at all?

A: If Dhu Al-Arham (heirs connected through the female blood relatives) inherit, males and females receive an equal share due to their being uterine relatives; they are tantamount to uterine siblings. Allah (Exalted be He) says in this respect: (But if more than two, they share in a third.) The fact that they all share in the inheritance necessitates that they all receive an equal share.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21258

Q: Our father, may Allah have mercy on him, passed away two months ago and left us an estate consisting of 31.000 Saudi riyals and around 80 sheep. He was indebted to the Real Estate Bank with 240.000 SR. We have twenty outstanding loan installments and until this day, the Bank did not ask for them. My father left behind a wife, eleven minor children and eight adults, males and females. We contacted the Real Estate Fund which requested that we pay five

installments which are the equivalent of 48, 000 SR and requested that the rest of the installments be paid at another time. I, in my capacity as a beneficiary and as being the eldest of my siblings and their agent, signed a declaration of obligation to pay the installments in their due time. After paying off 48.000 SR and signing the declaration of obligation, does this absolve my father of the debt which will become a financial obligation that I have to pay? Please take into account that the house my father left is uninhabited and we do not benefit from it. Kindly accept your deep thanks!

A: If the matter is as mentioned in the question, and you took it upon yourself to pay off your father's debt on behalf of your siblings, you will be rewarded for this In sha'a-Allah (if Allah wills). However, your father is not absolved of the financial obligation upon him except after the debt is paid off. We ask Allah to help you!

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21463

Q: My father, may Allah have mercy on him, passed away while he was indebted to the Agricultural Bank, with his farm as collateral. By virtue of the contract between my father and the bank and during my father's lifetime, one of his brothers asked that he obtains for him a certificate from the bank allowing him to put wheat in the silos in exchange for paying off one year of the installments and during which he will benefit financially from storing the wheat.

(Part No. 11; Page No. 297)

Our Eminent Shaykh: Does my father's debt suspend his actions? Please take into account that we do not wish for our uncle to pay any of the installments whether or not he benefited from the loan, but wish to contact those in charge of the matter to waive this debt.

The question is: Does the debt owed to the Agricultural Bank suspend one's actions or not since the farm is collateral?

A: The debt is still due upon your father and it will remain hanging until it is paid off on his behalf. This is due to the words of the Prophet (peace be upon him) who said: ("The soul of a (dead) believer remains suspended by his debt, until it is repaid on his behalf.") This ruling stands except if the bank waives your father's debt. Therefore, you must start paying off the debt to the bank from your father's estate to absolve him from the debt.

May Allah grant us success! May Peace be upon our Prophet, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21332

Q: My sister, may Allah have mercy on her, passed away in a vehicle accident while she was accompanying her husband who was driving the crashed car; she was four months pregnant, and Allah knows best. She left behind three minor children and her parents are still alive. Please take into account that our father is senile and suffers from amnesia. Therefore, is it permissible for him to waive his right of the Diyah (blood money)? Does her husband, who was responsible for the car overturning, inherit?

May Allah grant you success!

A: If the matter is indeed as mentioned in the question, that the husband of the deceased is responsible for the accident since he was driving the car, then he does not inherit anything from his late wife. This is due to the words of the Prophet (peace be upon him) who said: ("The killer is entitled to nothing from (his victim's) inheritance.") This is only if he is responsible for the accident. As for the father of the deceased who is senile, it is impermissible for anyone to waive his right in the inheritance and it is not right for him to do so either.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21055

Q: My elder brother passed away about eleven years ago. I washed his body and swore before witnesses to pay off anything he might owe anyone. After observing the Prayer upon him [namely the Janazah (Funeral) Prayer], I likewise made the same declaration before witnesses and again when I buried him. After the condolences ceremony, I found many people coming up to me requesting that I pay off my brother's debts. I calculated all the debts and paid them off

within a period of approximately fifteen days. The sum was more than I could have imagined and some benevolent people assisted me, praise be to Allah. Afterwards, I found out that he was further indebted with a sum of 126.000 to the Agricultural Bank. I requested that the bank defer payment for eight years or more, but to no avail. The loan was against the farm and well. His children grew up and obtained jobs. The eldest who got married, is in the police force of `Asir and the second is a nurse in the Armed Forces Hospital. I asked them to pay the bank, fearing for their father but they did not agree even though I asked the eldest in the presence of one of his kin and told him that the financial obligations upon me are his father's. For this reason, I ask Allah and then you for a Fatwa on what is the consequence of this with regards to the deceased. Is it possible to transfer the debt from the deceased to one of the heirs? Is there anything upon me with regards to the mentioned debt? May Allah reward you with the best!

A: The debt is upon the estate of the deceased. It must be paid off before dividing up the inheritance as it is still owed by the deceased. You must go to the Shar`y (Islamic legal) court to pay off this debt from the estate and take it from the heirs for this cause.

May Allah grant us success! May Peace and Blessings be upon our Prophet, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The third question of Fatwa no. 21251

Q 3: I have spent nearly half a million on preparing for my three daughters' marriages. This covered the jewelry, bridal dresses, home furniture and hotel bookings. I have two other daughters who are not yet married and for each of whom I have bequeathed an amount of 100,000 Riyals. They will take it if I die before they marry. I consider this amount as a debt that I owe them. As for the daughters who married during my lifetime whom I covered all of their marriage expenses, they have no right to any share of the amount. Kindly take into consideration that I informed the other three daughters of what I did and none of them objected. What is the ruling on this?

A: The financial amount you bequeathed for your daughters who did not get married during your lifetime which is aimed to equal foot them with their sisters should not come into effect unless all the inheritors approve of it after your death. If they do so, it will be the right of the two daughters. Otherwise, it is a part of the estate that should be divided among all the inheritors.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The second question of Fatwa no. 21003

Q2: A family consists of a father, a mother, brothers and sisters; the father and the brothers earn their living by trade. Most of the household income is earned by the brothers; shall the sister inherit from the money of her father only or also from that of her brothers? Please take into consideration that the money is shared and there is no private property for each of them. Please guide us. May Allah benefit you!

A2: A woman inherits from the money of her relative after his death; whether he is her father, brother, son or so on, according to what Allah (Exalted be He) assigned to her. Allah (Exalted be He) says: (There is a share for men and a share for women from what is left by parents and those nearest related, whether the property be small or large - a legal share.) This occurs even if she does not earn her living. Preventing a woman from inheriting is an aspect of Jahiliyyah (pre-Islamic time of ignorance), which is abolished by Islam.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21161

Q: I own a small flat where my wife, my two daughters and I live. I wrote my wife's name in the contract of ownership, so it is owned by me and her in equal shares, though of course I received no money from her, contrary to what I mentioned in the contract. My main reason for doing this is to keep my wife and daughters safe in the event of my death, as this flat is their only security, bearing in mind that I have no pension and I own nothing else.

My question is:

1- Will this flat be considered inheritance in the event of my death, bearing in mind that I have a mother, brothers, and an unmarried sister? What is the destiny of my wife and daughters?

2- Will the heirs be entitled to the half of the flat which is in my name, bearing in mind that the flat cannot actually be divided?

3- Is it legally obligatory to sell the furniture and domestic appliances so that my heirs can receive their share of the inheritance, bearing in mind that I bought all these things with my money?

4- If I keep a sum of money in my flat for expenses and emergencies about which no one knows except my wife, are my heirs entitled to a share of this money or can my wife keep it for herself?

Please take into consideration that I do not have a pension or any other source of income that can support my family, and my wife does not work.

5- Assuming Your Eminence replies in the affirmative to my first question, is it permissible for me to ask my heirs to voluntarily sign a contract assigning their shares in the flat - either in return for money or not - to my wife and daughters, as this flat is the only shelter for my family?

May Allah reward you with the best!

A: Everything a person leaves after death, whether it is money, real estate, etc., is considered inheritance and should be divided among their legal heirs in accordance with the rulings of the Book of Allah. The inheritance is to be divided after paying off any debts of the deceased, and after executing the will of the deceased if one has been left. The Muslim should think well of Allah (Glorified be He), put their trust in Him, and adopt the legal means to support themselves and their families. Nevertheless, a person does not know who will actually benefit them in this worldly life and the Hereafter. In the Ayah (Qur'anic verse) about inheritance, Allah (Exalted be He) says: (You know not which of them, whether your parents or your children, are nearest to you in benefit)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21905

Q: I inform you that my father died, leaving an inheritance valued at 29533 Riyals. However, he is indebted to the Real Estate Development Bank for a sum mounted 128,000 Riyals. Should I divide the mentioned sum to the heirs or pay the debt to the Real Estate Development Fund? Please take into consideration that the house for which the loan is taken is not presently inhabited by anyone and it is not rented, but we stay in it when we go to this area. I ask Allah, and hope that you will give us your legal opinion concerning the present sum and what we should do with the house?

A: You should pay the debts of the deceased, then carry out his will within the limits of the third of the inheritance or less. The rest of the sum, after paying the debt and carrying out the will, should be divided among the heirs, then carry out his will within the limit of the third of the inheritance or less. The rest of the sum after paying the debt and carrying out the will should be divided among the heirs who are mentioned in the document, as Allah (Exalted be He) states: ﴾after payment of legacies he (or she) may have bequeathed or debts﴿ . The Messenger of Allah (peace be upon him) ordered to pay the debt before carrying out the will.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20681

Q: We are full siblings except one of us, who is a paternal half-brother. He is single and his mother is the divorcee of our father. She also has children from another man. Our father died leaving a herd of camels and our paternal half-brother died before receiving his share of the inheritance. Are his mother and his maternal siblings entitled to his share of the inheritance? Also, are we entitled to inherit his share from his mother? Please advise us, may Allah safeguard you!

A: Your father's estate is distributed according to the limitation of succession document. After identifying your paternal half-brother's share of the inheritance, it is added to any other money or property he left, which is then distributed among his heirs: his mother and paternal and maternal siblings mentioned in the attached limitation of succession document. His mother is entitled to receive one-sixth and his maternal siblings are entitled to receive one-third distributed equally amongst them. However, his paternal siblings are entitled to receive the remaining by agnation, in which the share of a male is twice that of a female. His paternal siblings are not entitled to inherit from his mother because he died before his mother and so she inherited from him, and he did not.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta`

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

(Part No. 11; Page No. 306)

Fatwa no. 20792

All praise be to Allah Alone, peace and blessings be upon the last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' has examined the letter submitted to his Eminence, the General Mufty, by the Respected Judge of the court of Al-Bark under no. 71 dated 11/1/1420 A.H. referred to the Committee by the General Secretariat of the Council of Senior Scholars under no. 464 dated 18/1/1420 A.H. The letter was attached to a Fatwa (legal opinion issued by a qualified Muslim scholar) request submitted by the citizen C.C.H that reads as follows:

N.M.A died and left a wife, daughter, and son of his brother (agnate relative). The deceased left an estate from which he bequeathed to his daughter 20,000 Riyals without explaining why he made this will. The remaining money would be distributed among the heirs. I wish you could elaborate on this issue: Should this will be executed or not? The deceased left 40,000 Saudi Riyals from which he bequeathed 20,000 Saudi Riyals to his married daughter and the remaining estate is to be distributed among all the heirs; the daughter, the wife, and the son of his brother. He did not explain in the will why he bequeathed this sum to his daughter, or whether this is for a service his daughter offered him or only out of sympathy.

(Part No. 11; Page No. 307)

Having examined the Fatwa request, the Committee answered that if the reality is as you mentioned and it was not proved that the father bequeathed this sum to repay a debt that he borrowed from his daughter, the will will be invalid. This is supported by the Hadith related by the Five Compilers of Hadith (Imams Ahmad, Abu Dawud, Al-Tirmidhy, Al-Nasa'y and Ibn Majah) except Al-Nasa'y on the authority of Abu Umamah (may Allah be pleased with him) that he said: I heard the Messenger of Allah (peace be upon him) saying: ﴾Allah has appointed for everyone who has a right what is due to them, and no bequest will be made to an heir.﴿ Al-Tirmidhy ranked this Hadith as Hasan Sahih (a Hadith that stands at a higher level than a mere Hasan Hadith, but at a bit lower level than Sahih). Thereupon, all the estate the deceased left is a right entitled to be divided among the heirs; one-eighth (5000 Saudi Riyals) for the wife, one-half (20000 Saudi Riyals) for the daughter, and the remaining is to be given to the son of the brother by agnation (15000 Saudi Riyals). However, there is no impediment if the mature heirs permit executing this will.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20942

Q: My father-in-law was married to another woman for a short time before his marriage to my mother-in-law. His first wife died due to an illness, leaving an estate which he inherited and disposed of.

(Part No. 11; Page No. 308)

A year before his death, he promised to perform Hajj on her behalf but unfortunately he died before he could do so. We would like to submit our question to your Eminence bearing in mind that she died without children and he has only female children (from my mother-in-law). His family asks: What is the ruling on not executing his promise? Should they perform Hajj on her behalf? Is it sinful not to perform Hajj on her behalf? We hope to receive a reply. May Allah reward you with the best.

A: From the estate which the woman left, repaying any debts she has takes priority, and her legal will should be executed if she bequeathed. The remaining estate should be distributed among the her heirs, including the husband. Thereupon, what the husband took above as his share from his wife should be repaid to her heirs.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Chairman
Bakr Abu Zayd	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20945

All praise be to Allah Alone, and peace and blessings be upon the Last of the Prophets. To proceed:

The Permanent Committee for Scholarly Research and Ifta' reviewed the question received by his Eminence the Grand Mufty from His Excellency the Prime Minister, being attached by the Fatwa request submitted by (...) from India, and referred to the Committee from

the Secretariat General of the Council of Senior Scholars, numbered 2606 and dated 6/5/1420 A.H. The questioner asked the following question:

We live in India, and the Muslims here have their system of inheritance, which is said to be Islamic in nature. The system entails that when a person dies and his father is still alive, the children of the deceased do not inherit any of the property of their grandfather. As a result, the children are deprived from the property of their grandfather. The uncles divide among themselves the inheritance of their father without having mercy on the children of their deceased brother. Thus, the orphans become poor, begging and living in misery and destitution without shelter. Undoubtedly, you know the plots hatched by the enemies of Islam against Muslims. Moreover, no one can get an ID card from the government of India unless he or his father has actual property or land registered in the government records. Because of the mentioned system of inheritance, the orphans lose their right to the land of their grandfather, rendering them poor without land or real property. Consequently, they lose their rights to citizenship and are placed in a political dilemma. I believe that Islam came to help human beings, saving them from humiliation in this world and the Hereafter. Also, it signifies peace and success in this life and the Hereafter. I do not think that there is an Islamic inheritance system that stands against the interest of the Muslim orphans. I think that there is a group that has interest in distorting this system, as was the case during the reign of

Emperor Akbar of India.

I hope that Your Eminency will grant me a legal opinion on this issue from the Department of Fatwas, hoping that the Muslim orphans may be relieved of their economic and political crises, and be a means of making them live in peace.

After the Committee considered the Fatwa request, it answered that the children of a son are not entitled to inheritance if the uncles of their parents or their father are alive, because they are disinherited due to their existence. The Prophet (peace be upon him) said: ⟪Give the Fara'id (the shares of the inheritance that are prescribed in the Qur'an) to those who are entitled to receive it. Then whatever remains, should be given to the closest male relative of the deceased.⟫ The direct uncles are more entitled to inheritance than the children of the son because they are the sons of the deceased.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20949

Q: I would like to inform Your Eminence that our paternal uncle died in 1417 A. H.

His lawful inheritance was to pass only to us, the sons of his paternal half-brother, i.e., `Aly and Muhammad, to the exclusion of our sisters. A legal document outlining this was issued under no. (9/3/98) on 04.05.1419 A.H. But our sisters continue to insist that they are also entitled to inherit from our uncle.

Desiring to mend the fence between us and our sisters, we would like Your Eminence (may Allah safeguard you) to clarify for them the truth about this case of inheritance. May Allah make you successful in conciliating between family members and reuniting them according to the true Shari`ah (Islamic law). May Allah safeguard you.

A.: After scrutinizing the relative legal document of inheritance for determining the heirs of the deceased (`. M. S. `.), it is determined that his legacy is to be distributed only between the two sons of his brother (H. M. S. `.). The property inherited from the deceased is agnatically confined to them; the legacy is to be distributed equally between both of them. Their sisters are not entitled to any share in the inheritance, because they are of Dhu Al-Arham (heirs connected through the female blood relatives).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 20895

Q: A few weeks ago, my grandfather, the father of my father died. We are the children of his son, who died eight years ago. We are five boys and four girls, and he had only one daughter, the sister of my father, who also has children. Moreover, he has half brothers and half sisters from his father. They all have children and each one of them lives in a separate house. We have a half brother from a second divorced wife. As for the properties of our grandfather, he left only: First, a house, where we and his grandsons live with our mother; and the installments of its establishment belonging to the Land Bank are not paid; Second, 140 sheep out of 575 sheep that were sold a few weeks before his death.

A: After the death of your grandfather, the sheep and money he left are inherited by the mentioned persons, being limited to his daughter and his grandchildren (the children of his son). This division takes place after paying his debts and executing his legal will. His daughter shall take half of the inheritance, and the rest will be assigned to his grandchildren, taking into consideration that the male takes double the portion of the female. The sheep should be sold and their price should be added to the present money. Then, the total sum should be divided among the mentioned heirs.

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The woman

The third question of Fatwa no. 14768

Q 3: There is a front-open Jilbab (loose outer garment) with buttons called cap in Saudi Arabia. Is it Haram (prohibited) for women to wear it? Also, how about wearing the Saudi front-open `Aba`ah (loose outer garment)? A sister told me that it is Hararm to wear a front-open `Aba`ah with buttons.

Is this true?

A: A woman should cover up in the presence of Ajanib (men other than a spouse and unmarriageable relatives). The woman's garment should screen all parts of her body. It should be loose and not narrow to avoid depicting the shape of her body, and it should be thick and not transparent to avoid seeing her body.

There is nothing wrong with wearing a front-open `Aba`ah or Jilbab with buttons as long as her garment is identical to what we have described.

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Fatwa no. 16678

Q: A girl starting wearing the prescribed Islamic Hijab (veil) when she was in her second year of secondary school after knowing that it is Wajib (obligatory). However, under the pressure of the school management and her family she took it off. Then, she put it on once again in the second year of university and she, again, was met with the objection of the family and others due to wearing it. She asks: Should she respond to their demands and remove the Muslim woman's prescribed Islamic Hijab or go on wearing it despite the pressure she faces?

A: Hijab is an obligation according to the Shari`ah (Islamic law). A Muslim woman should not expose her body and ornaments including the face and hands in the presence of any Ajnaby (a man other than a spouse and an unmarriageable relative). Thereupon, when you wear the Hijab, you follow a prescribed obligation and so it is not permissible for a Muslim who believes in Allah and the Last Day to object to your wearing it. You should be patient anticipating Allah's Reward and try to convince anyone who objects to you of this obligation and supporting your argument with evidence and leniency. May Allah grant you success and guide you to good and righteous deeds!

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Fatwa no. 18266

Q: Is it permissible for a woman who wears the prescribed Islamic Hijab (veil) to display her jewels?

A: It is not permissible for a woman to display her jewels in the presence of Ajanib (men other than a spouse and unmarriageable relatives), because they are ornaments and Allah (Glorified be He) says: (and not to reveal their adornment except to their husbands)

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The second question of Fatwa no. 17805

Q: If a Muslim husband knows that Hijab (veil) is an individual obligation on his wife and refuses to command her to wear it, is he considered Murtad (apostate)? Also, is she considered Murtad (apostate) if he commands her to wear it and she refuses? What should he do in this case?

A: Hijab is an obligation, the husband should command his wife to wear it, and if he does not, he will be sinful. However, if he commands her and she refuses, she will be sinful but none of them is considered a kafir (disbeliever).

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(Part No. 11; Page No. 316)

The first question of Fatwa no. 16340

Q 1: What is the description of the prescribed Islamic Hijab (veil)? Is Niqab (face veil) the Hijab or do both differ in terms of ruling and appearance? Is Khimar (veil covering to the waist), which a woman wears uncovering her face and hands, the prescribed Islamic Hijab?

A: A woman should appropriately cover her face in the presence of non-Mahrams (not a spouse or an unmarriageable relative). Also, she should cover up with clothes that are loose and not tight, charming or eye-catching. This is the prescribed Islamic Hijab, which Allah commands in the Ever-Glorious Qur'an, and on the tongue of His Messenger (peace be upon him). Niqab is the prescribed Islamic Hijab for a woman who is not in Ihram (ritual state for Hajj or `Umrah) which displays only her eyes, based on the Hadith reported on the authority of Ibn `Umar which was authentically reported in the Sahih [Authentic Hadith Book] of Al-Bukhari, (may Allah be merciful to him).

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The first question of Fatwa no. 17573

Q 1: What is the difference in the legal ruling on a woman covering her face when she is in Ihram (ritual state for Hajj or `Umrah) and when she is not?

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A: A woman should cover her face in the presence of non-Mahram persons (not a spouse or an unmarriageable relative), whether she is in Ihram or not. But in the state of Ihram, she is not required to cover her face with a veil or a knitted cloth specified for covering the face; rather, she may conceal it with something else.

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The first, second, and third questions of Fatwa no. 15885

Q 1: I live with my family, which consists of my father, mother, two older sisters, and one younger brother. My oldest brother also lives with us; he is married and has one son. We [and his small family] usually eat together. Is this lawful? What is the legal ruling on this?

A: It is not lawful for women to mix with men other than their Mahrams (spouses or unmarriageable relatives) and eat with them from the same dishes, because this may cause temptation between them and consequently lead to sinning. So women are required to be screened from non-Mahram men [in situations like this], eating alone or with other women. Allah (Glorified be He) says: ﴾And tell the believing women to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts)﴿ He (Exalted be He) also says:

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﴾And when you ask (his wives) for anything you want, ask them from behind a screen: that is purer for your hearts and for their hearts.﴿ Besides, the Prophet (peace and blessings be upon him) ordered that during congregational Salah (Prayer) the rows of women be behind those of men to avoid temptation. This is to be followed, with all the more reason, in cases other than Salah.

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Q 2: Here in Sudan, it is circulated that the Sudanese attire for women, which is composed of a dress and cloak, is the prescribed Islamic Hijab (veil); is this correct? What are the conditions of Islamic attire?

A2: It is not sufficient for women to wear a dress and a cloak; they should also cover their faces in the presence of non-Mahram men (spouse or unmarriageable relative). Allah (Exalted be He) says: ﴾O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks (veils) all over their bodies (i.e. screen themselves completely except the eyes or one eye to see the way).﴿ And: ﴾and to draw their veils all over Juyûbihinna (i.e. their bodies, faces, necks and bosoms)﴿ Khimar (veil covering to the waist) is a cover for the head that Allah (Glorified be He) ordered women to draw over their chest, and this necessitates covering the face. It is reported by `Aishah that when the women were Muhrims (pilgrims in the ritual state for Hajj and `Umrah) in the company of the Prophet (peace be upon him), they were to draw their Khimar over their faces when men passed by them. It is also obligatory that the dress be loose and long, covering the women's bodies

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and legs. It should be loose, so that their figures will not be discernible. It should also not be adorned or eye-catching.

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Q 3: I had a female colleague and, praise be to Allah, I abide by the saying of the Prophet (peace be upon him) in which he prohibited Khulwah (being alone with a member of the opposite sex). My question is: I know her good manners and I want to guide her to some of the teachings of the Prophet (peace be upon him). However, the Prophet (peace be upon him) prohibited Khulwah. Allah (Glorified and Exalted be He) commands us to lower our gaze when looking at the Ajnabiyyah (a woman other than a spouse and unmarriageable relatives). What is the solution then? Kindly, bear in mind that I do not have women-related books to provide her with so that she can learn from them.

A: As you said, Khulwah or gazing at an Ajnabiyyah is Haram (prohibited). Yet, if you want to advise her, you can talk to her while she covers up and without Khulwah. You can also present to her a useful book or a tape that handles women-related religious rulings, or send her written pieces of advice. There are so many ways that do not involve Fitnah (temptation) and achieve the intended purpose.

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The third question of Fatwa no. 17880

Q 3: According to the Hanbaly scholars, a woman who does not wear Hijab (veil) is a Kafir (disbeliever). It is not permissible to supplicate to Allah for her if she dies regardless of her Salah (Prayer). They hold that there is one shape of Hijab and any woman who does not abide by it does not wear the prescribed Islamic Hijab.

However, the Maliky scholars hold another view and consider her a Muslim on whom the Janazah (Funeral) Prayer and Du`a' (supplication) are offered.

A: Hijab is an obligation, which means that a woman should cover up in the presence of non-Mahram people (not a spouse or an unmarriageable relative). Any woman who does not wear it is sinful and should be forced to wear it. However, if she does not wear it, she will not fall into Kufr (disbelief), neither according to the Hanably scholars nor other scholars because not wearing the Hijab is a sin less than Kufr and does not bring the person out of the fold of Islam.

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Fatwa no. 21504

Q: I have a nephew (my sister's son) who has a daughter. Is it permissible for me to marry his daughter from the viewpoint of Shari`ah? Please give me an answer for this question. May Allah safeguard you.

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A: It is unlawful for you to marry the woman you referred to, because she is your nephew's daughter. Allah (Glorified be He) mentions in the Glorious Qur'an that this is among the women a man is forbidden to marry: ﴾your sister's daughters﴿ This applies to the daughters of a person's sister and the daughters of her children also.

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Fatwa no. 21624

Q: A man married a woman and had three daughters with her. Then he got married to another woman while he was still married to the first woman, so he was married to both women at the same time. The first wife subsequently gave birth to one more daughter and four sons; and the second wife gave birth to two sons and one daughter. The man then divorced the second wife, who married another man with whom she had one son and one daughter. What is the relationship between the children from her second husband and the children from her ex-husband and his first wife, both those whom the first wife gave birth to before her husband married the second wife and after he married her?

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Please note that the last daughter of the first wife was breastfed by the second wife along with that daughter's paternal half-brother for a long period.

A: There is no relation between the second wife's children from her second husband and the children of her ex-husband from another wife, either through lineage or affinity, unless there has been breastfeeding, which affects marriageability between the said children.

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Marriage

Fatwa no. 21803

Q 1: We prescribe for the ill menopausal women a drug for osteoporosis and for treating menopausal symptoms. This drug consists of hormones similar to those responsible for menstruation. If the patient takes the drug, blood discharge flows regularly once again. The question is can we consider this blood menstruation where the patient abstains from Salah (Prayer), Sawm (Fast) and etc., or as Istihada (abnormal vaginal bleeding outside the menstrual or post-partum period)? Some patients regard it as menstruation and abstain from Salah, what should they do?

A 1: The menopausal woman, reaching the age of fifty, does not consider any blood discharge as menstruation, for which she abstains from Salah and Sawm. However, she should regard it as bleeding or impure blood, especially when the reason for the discharge is the mentioned drug.

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Q 2: Some women are pregnant with anencephalic fetuses; an anencephalic fetus does not have a forebrain, skull, or scalp and either does not survive birth or dies within a few hours or days after birth.

Is it permissible to terminate these pregnancies so

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the women are not psychologically affected by being pregnant with a deformed fetus? Some of these women suffer from diabetes and hypertension, which increases with the continuation of the pregnancy.

A: It is not permissible to terminate a pregnancy because the fetus is deformed, undeveloped, or suffers from an abnormal enlargement of the head. Rather, the matter should be left to the Will of Allah (Glorified and Exalted be He).

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Zhihar

The third question of Fatwa no. 21776

Q 3: A person used to say: "I swear that I will commit an unlawful action", what is the ruling on this, taking into consideration that he says it with a good intention, as he does not mean this regarding his wife becoming unlawful to him? Is this considered as swearing needlessly?

A: If this person intends by "I swear that I will commit an unlawful action" his wife, this is considered as Zhihar (a man likening his wife to an unmarriageable relative). Thus, he is obliged to perform the Kaffarah (expiation) for Zhihar, which is freeing a slave. If he can not do this, he should fast for two subsequent months before having a conjugal relationship with his wife. If he can not do this, he should feed sixty Miskins (needy), assigning to each of them half a Sa` (1 Sa1= 3 kg) of food that equals one kilo and a half.

If he did not mean his wife, he is obliged to perform the Kaffarah for an oath. In this case he chooses between freeing a Mu'min (believer), feeding or clothing ten Miskins. If he could not find any, he should fast for three days.

If he used to say it with no intention, he is not obliged to do anything because it is idle talk.

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Oaths and vows

Fatwa no. 21850

Q: I am an old, poor widow. My late husband died in a tragic accident a long time ago and left me with a boy and a girl to raise on my own. I devoted my life to bringing up my children and did not remarry for their sake. I vowed that if my son entered high school, I would buy him a sedan car. By Allah's Bounty, my son is about to graduate from high school but I have been unable to fulfill my vow.

What should I do? Please advise me.

A: The vow you have taken is lawful. You either have to fulfill it or break it. However, if you break it, you have to offer Kaffarah (expiation) for breaking an oath, which comprises feeding or clothing ten needy persons, or freeing a slave. If you are unable to do either of these things, you have to fast for three days.

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Al-Kitab Al-Jami`

The third question of Fatwa no. 20317

Q 3: Trimming the beard prevailed among the Multazims (practicing Muslims) youth, as you see them trimming the ends from time to time. Perhaps they belong to religious parties, thus they become an example for the common people to follow. They may rely on weak narrations or some sayings attributed to Ibn `Umar, as well as growing the beard until it reaches the length of the fist.

A: The Sahih (authentic) Hadiths of the Messenger of Allah (peace be upon him) indicate the necessity of letting the beard grow as it is, in addition to prohibiting cutting, shortening or trimming it. In this regard, Al-Bukhari and Muslim related in their "Sahih (Authentic Hadith Book)" about Ibn 'Umar (may Allah be pleased with him and his father) that the Messenger of Allah (peace be upon him) is reported to have said: ﴾Trim closely the moustache, and let the beard grow to be contradictory to the unbelievers.﴿ It is mentioned in another narration by Al-Bukhari: ﴾Trim closely the moustache, and let the beard grow to be contradictory to the unbelievers.﴿ Muslim related in his "Sahih" from Abu Hurayrah (may Allah be pleased with him), that the Messenger of Allah is reported to have said: ﴾Trim closely the moustache, and grow beard, and thus act against the fire-worshippers.﴿ There are other authentic Hadiths in this respect, but the mentioned ones are enough In sha'a-Allah (if Allah wills). The great scholar Abu Muhammad ibn Hazm is reported to have said: "The scholars agreed that

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trimming closely the moustache and growing the beard are Fard (obligatory, based on a definitive text)".

Moreover, the previous Hadiths indicate that it is obligatory to let the beard grow and it is unlawful to cut, shorten or trim it, as the principle in commands is the obligation and the principle in the prohibition is declaring something unlawful. It is not permissible to turn it away from its principle and form except by a valid evidence and proof that can be relied on. There is no evidence or proof against this command. Thus, every Muslim should obey the command and follow the pattern of the Messenger of Allah (peace be upon him) because he had a thick beard, as it was authentically reported about him. It was not reported about any of his Sahabah (Companions of the Prophet), who are the best of all people, that he used to trim his beard except what is reported by 'Abdullah ibn 'Umar. He related that the Messenger of Allah trimmed the part of his beard that exceeds his fist at the time of Hajj. We can not rely on this act with the verification of the authentic Hadiths. 'Abdullah ibn 'Umar (may Allah be pleased with him and his father) related that the Prophet (peace be upon him) is reported to have said: ﴾Trim closely the moustache, and let the beard grow to be contradictory to the unbelievers.﴿ (Agreed upon by Al-Bukhari and Muslim). The principle of the evidence is the narration of the relater not his acts and Ijtihad (juristic efforts to infer expert legal rulings). The scholars said that the authentic narration of the Sahabah and their successors about the

Prophet (peace be upon him) is the supporting evidence, and it is more reliable than the relater's opinion if his opinion contradicts the Sunnah (whatever is reported from the Prophet). In this case, we rely on his narration of the Sunnah not of his act upon the Sunnah.

As for the narration of Al-Tirmidhy that Abu Hurayrah (may Allah be pleased with him) reported that the Prophet (peace be upon him) "used to trim the length and width of his beard", it is not only a weak Isnad (chain of narrators)of Hadith,

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but it is also Batil (false) and rejected. This is not authentically known about the Prophet (peace be upon him). As this Hadith is related by `Umar ibn Harun Al-Balkhy, who is Matruk (a narrator whose Hadith transmission was discarded due to unreliability) and accused of lying, this Hadith cannot be taken as evidence. Thus, the acts of these youth should not be followed. However, they and all of the Muslims should obey the commands of the Prophet (peace be upon him), avoid disobeying him, or imitating the enemies of Allah and His Messenger and avoid imitating women. A human being should be a good pattern in his sayings and actions. It is necessary to advise those who breach the commands of Allah and His Messenger, urging them to obey Allah and His Messenger and to avoid their prohibitions.

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Fatwa no. 15400

Q: On our visit to Uganda, we noticed that some Christians bring their children to embrace Islam in an orphanage for newly converted Muslims. When the parents were asked why they themselves do not embrace Islam, their answer was that they fear being circumcised. What is the opinion of Your Eminence concerning this?

A: It is not necessary to demand that they be circumcised, if they fear that, for this is Sunnah (action following the teachings of the Prophet) and not an obligatory action, according to the majority of scholars. Those who maintain that circumcision is obligatory restrict it to situations where there are no fears for the circumcised person's safety.

If this fear of circumcision prevents those Christians from embracing Islam, they should not be asked to do it at the time of embracing Islam. When Islam becomes firm in their hearts, this matter can be reconsidered.

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Fatwa no. 16007

Q: What is the scholarly opinion regarding what is called "the exemption stratagem"? To explain, it is a widespread custom in our country that when a man dies and after the Janazah (funeral) Prayer is offered for him, people sit round in a circle and put dirhams in a Mus-haf (copy of the Qur'an). They then say the following, "This dead man was enjoined to do his duties to Allah, including the obligatory acts of worship, vows, and Kaffarahs (expiations). In truth, he fulfilled some of these duties and failed to fulfill others. Being dead, he is incapable of fulfilling these duties." After that, one of them receives the Mus-haf containing the dirhams and then presents it to another, who in turn presents it to another and so on. By doing so, they think that dirhams are doubled. They then divide the dirhams amongst the people. Please explain this issue for us substantiated by evidence from Shari`ah (Islamic law) telling us whether the best generations (earlier Muslim generations) are authentically reported to have done so.

A: The stratagem thus worked out in an attempt to exempt a dead person from his duties to Allah, including Salah (Prayer), vows, Kaffarahs, and the like in the manner described in the question is Bid`ah (innovation in religion) and has no basis in the Shari`ah. In this regard, the Prophet (peace be upon him) is authentically reported to have said: (Anyone who introduces anything into this matter of ours (Islam) that is not part of it will have it rejected.) In another narration, (Anyone who does an action which is not in accordance with this matter of ours (Islam) will have it rejected.)

It is basic ruling in Shari`ah that a Muslim should do no acts of worship but those enacted by Allah in the Qur'an or through the Sunnah (acts, sayings, or approvals of the Prophet). In fact, acts of worship are Tawqifiy (bound by a religious text and not amenable to personal opinion) matters. However, the Islamically acceptable way to expiate sins is by sincerely repenting to Allah, giving to charity, asking Allah for forgiveness, doing many permissible acts of worship, giving back usurped rights to their owners, or asking for their forgiveness if possible, and so on. The following are things that are permissible to be done on behalf of a dead person: giving to charity, asking Allah to forgive them, supplicating to Allah for them, and making up for their duties to Allah they failed to fulfill. Examples of such duties are Zakah (obligatory charity), Kaffarahs, Sawm (Fast) of Ramadan if they delayed making up for it unexcused, Hajj in case they neglected to perform it although having the capacity to do so, and so on. The same also applies to paying people's dues such as debts, trusts, etc.

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Fatwa no. 16248

Q: Some tribes circumcise their boys twice during their lifetime: the first on the seventh day after childbirth, according to the Sunnah (action following the teachings of the Prophet) and the second when they reach ten years of age, which is when Salah (Prayer) becomes obligatory on them. For the second circumcision, the parents hold a banquet to celebrate the occasion and invite people who give some money to the circumcised child or his father. If a person is not circumcised for the second time, this brings him dishonor and he is not to be accepted if he proposes to a girl. What is the ruling of the Shari`ah (Islamic law) in this regard?

A: The prescribed circumcision is performed by cutting the foreskin of the penis on or after the seventh day after childbirth.

As for the second circumcision in question, it is additional to the prescribed action and is baseless in the Shari`ah, and so is thus Haram (prohibited). Similarly, it is not permissible to hold and receive money in such banquets, for this is considered to be obtaining people's money improperly.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and his Companions.

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The first question of Fatwa no. 17496

Q 1: I have reached extreme old age and I am still living in the desert. When I was young, Allah willed that my wife be pregnant with a boy who was delivered dead. On burying him, some attendants advised me not to bury him before circumcising him, and I did so. Your Eminence Shaykh, what is the ruling on what I did? What should I do now? Guide me, may Allah guide you.

A: If a miscarried baby is delivered dead even after life had been breathed into it, it should not be circumcised. Rather, it should just be given a name, washed, buried, and the Janazah (funeral) Prayer should be offered for it. Accordingly, your having circumcised your miscarried baby was not the right behavior. However, you have to do nothing but ask Allah for forgiveness and be more cautions in the future regarding religion-related matters that you might not do such a thing before asking people of knowledge.

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Fatwa no. 20106

Q: I am a Bedouin and I lived in the desert for about thirty years. At that time, Allah bestowed upon me a boy who died one year after his birth. I did not have him circumcised and after his death I feared that I would be considered sinful if I buried him uncircumcised,

so I circumcised him myself. I would like Your Eminence to tell me whether what I did was right or wrong. Would I have been sinful if I had buried him uncircumcised?

A: A person who dies before being circumcised is not to be circumcised, according to the more correct of the two scholarly opinions, and this is the opinion maintained by the Jumhur (dominant majority of scholars). In his Al-Majmu`, Al-Nawawy said: "According to the correct opinion, he (the deceased) should absolutely not be circumcised, because it (foreskin of penis) is a part that was not cut. Similarly, the ruling applies to the hand that should be cut on account of theft or Qisas (just retaliation); the scholars unanimously agree that if the person whose hand is to be cut dies before the Had (ordained punishment for violating Allah's Law) of theft is executed, the hand should not be cut. On the contrary, the hair and nails of the living person are cut for adornment and so should those of the deceased be. As for circumcision, it is carried out on account of an obligation that is waived by death. And Allah knows best."

Accordingly, your circumcision of your son after his death was not ideal; nevertheless, there is nothing wrong with this and there is no sin on you for doing it, because you are excused due to your ignorance of the ruling in this regard.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and his Companions.

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